





K I L L I N G
I S
M U R D E R,
A N D N O
M U R D E R:
O R

An Exercitation concerning a Scurrilous
P A M P H L E T,

OF ONE
W I L L I A M A L L E N,
A Jesuitical Impostor;

Intituled
K I L L I N G n o M U R D E R:

Wherein his *Highness* honor is vindicated
and *Allens* Impostors discovered.

*And wherein the true Grounds of Government
are Stated, and his fallacious Principles
detected and rejected.*

As also his Calumnious Scoffs are perstringed
and cramb'd down his own Throat.

*An siquis atro dente me petiverit,
In ultus flebo ut puer. Horac. Epod. 6.*

Scurror ego ipse mihi, populo tu. Hor. l. 1. Ep. 19.

By MICH. HAWKE, of the Middle-Temple Gentl.

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Stationers shops. 1657.



causa; not so much to instruct you as to be Instructed of You, who are best able to Judge of the Historical Passages related in them; in which You have been a Continual and Honorable Actor: Which, if it shall please Your *Highness*, to peruse and examine by the quadrant and square of Your exact Judgement, and peircing Intellect, You shall highly Honor him, whose ambitious and ultimate scope is to vindicate Your *Highness* Honor; which hath alwayes, and ever shall be divulged and defended by the Pen, and Hand of Your,

*Unworthy Servant, and observant
Subject,*

M I C H. H A W K E.



To the Upright and Unbias'd
READER.



I is not unknown to some great Personages, that the Author had compleated this Exercitation before the Answer to Killing no Murder saw the light; and had been made publick sooner, but that he doubted to divulge it without the surveigh of some of the Higher Powers : their being therein specified many particular passages concerning the State. Neither is it a Novelty, or an inutility for diverse Books of the same subject to passe the Presse, as St. Augustine upon the same occasion averreth. *Utile est (saith he,) plures libros, a pluribus fieri diverso stilo etiam de quæstionibus iisdem, ut ad plurimos res perveniat ad alios sic, ad alios autem sic : It is profitable to have many Books composed of many in a divers stile, even of the same questions, that the knowledge of the thing may be conveyed to many, to some after this manner, to others after another. Which also may be very requisite, and conducent to the suffocating of this*

serpentine

Lib. I. de
Trinit. c. 3.

To the Reader.

serpentine pamphlet; for a single eye may clearly discern by the therein inserted secret and several relations, that it cannot proceed from one brain, but that it is Hydra multorum Capitum composed by many virulent Heads, and therefore had need of more Heads then one to incounter it : Besides many material passages are untouched by the other, which in this are punctually handled, and not by skippes, but literally, and orderly decided : And also have retorted in his teeth the filth of his scurrilous and bitter taunts, and thrown them in his own face, which for the most part work more powerfully on cavalier and nimble wits then a Logical Argument ; for as Horatius one of the Secretaries of Augustus,

Ridiculum acri

Horat. l. 2. Sp. 1

Fortius, & melius magnam plerumq; secat rem.

Which are generally by him pretermitted. My intention is not to disparage the Author; for in many things he hath done very well ; Sed plus vident oculi, quam oculus : Two eyes see more then one.



The Preface.

IT hath been deemed prudence in Princes, to sleight ca'unnies; for which Tacitus gives these Reasons, Quia spreta exolefcunt, si irascant, cognita videantur; because, they being slighted vanish and come to naught; but if you be angry at them you seem to acknowledge them; and in another place by condemning them, Nil nisi dedecus sibi, atque illis gloriam peperere, They have purchased nothing but disgrace to View of the themselves, and glory to the Authors: which are to be understood of Civil Law, &c. defamations, proceeding from the lubricity of the tongue, or weakness of the brain at Sir Thomas Ridley distinguisheth, according to the saying of the Emperor, Si quis Imperatori maledixerit si id ex levitate procellerit, contemnendum est; si ex infania, miseratione dignissimum. If any shall speak evil of the Emperor, if it proceed from lightness, it is to be contemned, if from madness, it is worthy of commiseration, but if they be Vulnifici sales, & cruenta verba, Wounding and bloody words, full of rancour and malice; which as Alexander in Curtius, perveniunt ad gladios, Produce quarrels and seditions: Such Ca'umniators according to the constitution of Theodosius, ought to be secured, by Custody, and according to other Princes, by Death, as Tiberius the sagest of the Emperors, who otherwise, was merciful to Male-dicants, caus'd Panconianus for composing Verses in disgrace of him to be condemned Læx Majestatis, Of High Treason, and to be strangled in Prison; which moved Henry the Seventh, whom Sir Francis Bacon adorneth with the Elegy of a wise Prince, to hang and execute five persons, for contriving and spreading of swarms and volleys of Libels against his Majesty. And so severe and strict was the great Turk in punishing this crime, who in moral policy by dilating his Empire seemeth second to none, that he commanded fifty Scholastiques whom they called Totti, to be put to death, because they made certain signes and signification of a sinister conceit they had of him, which might be conceived to be a very cruel censure; but that the Wiseman intimateth the same Eccles. 10. 20. Curse not the King nor in thy thoughts; and that the disparagement of Princes are the fomentaries, and as Sir Francis Bacon the Females of Sedition.

And though the words of a malicious Detraitor as the Wise-man, are sharper then Swords, or as Heracides, then whetted Swords, and penetrate into the Bowels of the Belly, yet the diffamations of a Libeller, are more pernicious, especially Printed Libels, because more permanent; Littera Scripta manet, and perpetually read & carried from one malevolent hand to another, and will not excelsere as Tacitus saith, but gliscere, not decay but increase; for most men are transported with a phillauty or self-respect, and have envious and itching ears, to hear ill reports of others, and are easily induced to beleve them. So as the more dangerous they are, the greater care should be taken, to cancel, and vacuate them, which may be according to the practise of other Princes, either Creman-

Curt. l. 5.

Tac. l. 6.

Bacon His H. 7

Clapm. l. 6.
nuper.

Idem. H. 7.

Plut. Apotheg.

do,

The Preface.

do by apprehending them in Ovo when they sweat under the Presse; And to fire them as Tiberius did those of Liberius, who wrote the Elegy of Brutus and Cassius: or else refutando, by Reasons, which work most on a man, to refute them: as the most learned Doctor Andrew handled and tortured Tortus, who by his Pen, as this Libeller attempted to seduce the Princes Subjects from their allegiance; These are the thoughts which have instigated the Author, to contrive and confute this pestilent and perilous Libel, which punctually levelleth at the ruin, and fate of his Highness; and also by collection of other Princes, for under the pretence and colour of Tyranny, he concludeth it lawfull for any obscure or sordid person to kill or murder his Sovereign Prince, pronouncing it to be a glorious and magnanimous Act so to do. And for so much that this Pasquill is covertly dispersed among discontented and seditious persons, which they embrace as their Apostles Creed, and communicate and extol it to others, as an indubitable, and sacred Truth, whereby many well disposed people may be debauched, corrupted, and withdrawn from their due obedience to their Prince. The Author thought it his duty to the Prince, and Publique, to prevent such imminent and future mischiefs, by making it manifest, that every page of this Pasquiller is full fraught with venomous errors, and seditious falsities. And that their Apostle is Os Diaboli as Irenæus styled Marcion, the Mouth of the Devil, and that this Creed is the Devils Creed, forged in the Infernal Shop of King Killing Jesuits his selected Apostles.

Oscand. Cent.

Wherein if the Author shall seem Superficially Prolix
Utque oblita modi millefima pagina furgat.

Juv. Sav. 7.

Yet hopeth he well that the Serious Observator will mark, and consider the various, curt and close couched Historical Passages, with his Suspence and involved Questions, which cou'd not be clearly conceived, and fully refell'd in cenciſer and fewer Lines.



And first in general to tax him for his Calumnies, the brood of envy and malice, whetein he followeth the steps of Satan, who for calumniating and accusing his Brethren is surnamed *Diabolus*, which in the Original signifieth a *Calumniator*; and practiseth the precept of *Medius*, whom *Plutarche* stileth *Dux Calumniatorum*, the Captain of Calumniators, which is *Audacter calumniis mordere*, *inquiens*, *si is qui morsus est, vulnere medeatur, cicatricem tamen relinqui*; boldly to bite with Calumnies, saying, that if he that is so bitten be cured, yet a scarre will remain; for as *Machiavel*, though Calumnies be grounded on slight suspicions, yet they being once divulged and entertained will hardly be removed. And this is generally this Impostors breviary, or practise of piety in all the passages of this *Pasquil*, to interlace, and interweave here and there divers contumelious opprobries against his *Highness*, which though they be universally fictitious, yet hopeth he that some scarre or filth will adhere to his skin; but he is vanely deceived, for the Magnanimity and integrity of his *Highness* will with scorn and contempt cast off the dirt, and filth of his contumelies, as a Lion doth dirty water passing through a miry slough, without any blemish remaining, saying, *Ille didicit maledicere, ego maledicta contemnere*; he hath learned to revile, and I to contemne revilings.

Invidia calumniæ mater.
Lip. de cont.

Plutarche de

Machiavel. l. 1.
cap. 8.

And then in particular to pursue him close, and to pay him in his own coyn: *Ut quod ab ipso allatum est, id sibi illatum putet*; that what scoffes are cast from him, he may find retorted on him.

Terent.

In the front he placeth his supplication to his *Highness*, which is as full of jeeres as words, wherein he endeavourereth with *Archilochus* by his snarling scoffes, to jeere his *Highness* out of his life, as he did *Lycambes* according to the Verse,

Tincla Lycambeo sanguine tela gerunt:

And would fain perwade his *Highness* to his happy expiration, whereby he might shew himself a true Father and Deliverer of his Countrey, and free it from a bondage little inferior to that from which *Moses* delivered his --- (A Simile, which by his often repetition seemeth much to please his fancy, though no more like then this Impostor is to a true *Israelite*) and that then he will be a true Reformer of Religion, and till then we can call nothing our own; and that by his death we hope for our Inheritance, with some other Ironys tending to that purpose, which becomes the Kings Jester better then a States man, as he would seem to be: but his *Highness* may truly and justly say with *Titus* the best of the Roman Emperors, who by such De-tractors was reproached in the like kind; Seeing I have done nothing worthy of reproach, *Mendacia non curo*; I weigh not lyes: and that by all

peaceable

peaceable and prudent people and their Representative ; he is acknowledged to be a true Father of his Countrey, and a Deliverer of his people, from the *Ægyptian* bondage of Popery and Tyranny, and that by his Paternal and Princely care ; our Inheritances are settled and protected against forreine invasions, and domestique seditions, unlesse theirs who through intestine insurrections, or publique Rebellions have justly forfeited the same, such as this Impostor and his Confederates are, or have been.

And that contrary to this *Impostors* contumelious suggestion, justice is not defined by the will and pleasure of the strongest ; but other Laws take place as well as those of the Sword, which all the subordinate Justiciaries to his *Highness* will averre ; that it hath been his principal and peremptory charge to them to administer Justice to all impartially, without any respect of persons, according to the Laws of the Land ; and that his *Highness* upon particular complaints of divers of his people, pretending that they have not received Justice, by the hands of his Justiciaries hath called them before him, and according to Law, equity, and good conscience heard and determined the same. And as *St. Paul* did, so doth his *Highness* exercise himself to have alwayes a good conscience, void of all offence, towards God and man ; where is then the terror of conscience this Impostor would fasten on his *Highness* ? is it not fixed in his own heart ? is not he one of them the Apostle mentioneth, who speaking lyes with Hypocrisy, having his conscience seared with an hot Iron, giveth heed to seducing Spirits, and the Doctrine of Devils ? For who can deny but it is the Doctrine of the Devil, who was an Homicide from the beginning, to give the Reins of Authority to dissolute persons, to wound and slaughter the supream Magistrate, to whom they ought not onely to be subject for wrath but for conscience sake ?

1 Tim. 4. 2.

And therefore it behooveth *William Allen* to consider in his own conscience, in what a sad and desperate condition he standeth through his Diabolical murderous intention, whereby he cannot onely escape the certain doom of Gods vengeance, but also incurre the Capital censure of his Vicegerent ; which to avoid, I will not advise him as he did his *Highness*, though it may be supposed, that to escape a shameful death like *Brutus* and *Cassius*, he will perish on his own Sword, or rather with *Judas* frightened with the terror of conscience will be his own Hangman, or else with his renowned *Sindercombe* swallow a Spanish Figge to shun the Triple Tree ; but why should he be supposed to be so Valiant, whose valour, like *Thersites*, consisteth onely in braving, railing, and encouraging others to fight, and assault one he dares not himself encounter ; and what man of common sense will give ear and credit to his exhortations, by which he would incite others to Act that horrid Homicide he himself feareth to attempt ? Howsoever this Impostor may assure himself, that his *Highness* hath his heart and conscience so armed, and fortified with Religious fortitude, and Pious constancy, that no Scuril or popular conceits can deterre him from laying fast hold on his Scepter.

*Virtus repulsa nescia sordida,
Inaminatis fulget honoribus,*

Nec

(3)
*Nec sumit aut ponit secures
Arbitrio popularis aura.*

Next followeth his Dedication, which is as full of shifts, as his supplication was of scoffs,

Astutam vapido servans sub pectore vulpem :
Shrowding two faces under one subtile hood.

Wherein he straineth all the nerves of his conceit to corrupt and debauch the Army, and either to withdraw it from his *Highness*, or to divide it to its and his *Highness*'s destruction, which is apparent in the Title ; it being directed to all those Officers and Souldiers of the Army that remember their engagements, and dare be honest (hoping at the least to gain the honest party to his Devotion.) But I wonder much that he should have such confidence in the honest party, having so little honesty himself; for what honest man would attempt to divide but unite, and especially the Army, whereby it might be decayed or ruined, which under God was the principal means of procuring our Liberty, and of preserving the same? but what cares William Allen if with Phaeton he fires the world, so he may have his will; to wit the ruine of his *Highness*, which is the fatal close of his Dedictory Epistle? This the Levellers aimed at in the year 1649. and the fifth Monarchy men in the year 1654. by the division and alteration of the Army, to suppress the Generals; but his *Highness* and the Army are in one Body so naturally and affectionately incorporated, that no Command or device can dissipate and separate them, no more then the device England, dated of Pompy, and the Commande of the Senate could Caesar and his Army at Rubicon. 27. September 1649. And the

But to weigh his wily Arguments, by which he cunningly goeth about to seduce the Army from his *Highness*; the one, and the Prime one, is, that the Officers and Souldiers of the Army, which were raised to defend the Priviledges of Parliament, his *Highness* hath made to dissolve Parliaments. This is a fallacy from the cause, *a non causa ut causa*; for the raising of the Army was not to defend the Priviledges of Parliament, but to bring Delinquents to condigne punishment, the maintenance of the Laws, and Liberties of the Land, and of due successions of Parliament, which did not intend to quarrel with the Kingly Government, but to regulate the disorders, and excesses in the Government. And the Army never took up Armes against any particular form of Government, nor ever fought against the King as a King, nor for the Parliament meerly as a Parliament, as appears by all the Papers and Declarations have been published in the beginning of these Warres; and therefore was the long Parliament justly dissolved by the Army, because it exceeded the due time of successions of Parliaments, which should have been but triennial, & not perpetual as they would have had it; besides many other enormities did concur to its dissolution, which in the true State of the Commonwealth Stated, Dated 1654. Fo. 11. 12. are amply declared, so as when that was dissolved, there was not so much heard as the barking of such a Dog as the Impostor is, or any general or visible repining at that; and the Souldiers therein were not made the Instruments of slavery, and establishers of Tyranny as he

faith, but the Restorers of our Liberty, and Instruments of Justice. No other Parliament I know of, but that it did continue out the fixt period of time, according to the first Institution.

And as concerning their engagements; the Parliament being justly dissolved, the engagements concerning the Priviledges of the same, are also justly dissolved; for all promissory Oaths as engagements are but Political ties, grounded upon Political considerations for Politique ends, and binde no longer then the particular Politei and State standeth; for as the

*Tholosa Syn-
tag. 49. c. 4.*

*Suarez res. ad
apologiam pro-
jure fidelit.
409.*

Civilians distinguish in such Oaths, *apposita clausula censetur, promissionem valere rebus sicut tunc erant extantibus & in eodem statu permanentibus*; an annexed clause or condition is to be supposed, that promise to be of force, things standing as they then were, and remaining in the same State; so as if that State be changed and ended, such engagements as respect on it are determined; which distinction this Impostor might have learned of his Master Suarez, *Quod sublata materia Juramenti, consequenter obligatio auferrī necesse est*; that the matter of the Oath being taken away, by consequence the Obligation of necessity must be taken away; as if a King, saith he, be deposed, he ceaseth to be a King; and in that respect no obedience is due unto him, and forthwith the Oath doth not binde; *a fortiori*, if the Government be determined, and the matter of the Oath dissolved, the Obligation of the Oath is *ipso facto* extinct; for as Master Askham, possession is the great condition for our obedience and allegiance; how unjustly therefore doth this Impostor call these distinctions prevarications to piece up contrary Oaths, which are grounded on approved Authority, and his own Masters opinion. The other reason on which he groundeth his seditious designe, is, that the Officers and Souldiers of the Army are employed to force Elections, that is, as may be conceived to seclude such as are turbulent and factious from being Elected, and admitted members of Parliament, wherein we are to distinguish between a quiet and settled State, and a Commonwealth which is distracted with factious. In the first a free Election of Knights, Burgeses, and Citizens in Parliament, is requisite, and ought to be, as Plato saith, *Libere & incorrupte*; in the second a free Election is altogether inconvenient and dangerous; for otherwise that great Council may be distracted, and overruled by turbulent Spirits, and nothing by it resolved for the publique good: A pregnant Example, of which we lately had in the proceedings of the late Precedent Parliament, which as his Highness saith, wholly spent their time, and did nothing. And in such cases of extremity where there is no course of prevention otherwise provided by Parliament, *Expediit principi omnium dissensionum causas in re-pub. dirimere*; it appertaineth to the Prince to prevent all causes of dissension in the Commonwealth, for he is the supream *Conservator pacis*; and by the advice of his Council may bar, and frustrate the Election of those of whose malignancy and disaffection to the State, he hath received certain and infallible intelligence, and that by way of preventing future discord and distraction; and accordingly in the turbulent times of Hemy the third, when the Kingdom was divided into two mighty Parties, That wise King called the best affected onely to Parliament, as Master Camden in

See his High.

22.

Jan. 1654.

his

his *Britannia* relateth; *Ad summum honorem pertinet*, saith he, *Ex quo Henricus tertius ex tanta multitudine qua seditiosa, & turbulenta fuit, optimos quosque ad Parliamentaria comitia evocaverit.* It was an highly honoured Act in Henry the third, that out of so great a multitude, which was seditious and turbulently, he had called every one of the best affected to the Parliament, by whose prudence and moderation the torn Estate of that Kingdom was cemented and settled in an uniformity of peace and tranquillity. In like manner did his Highness this Parliament out of a multitude of malignant and discontented persons, by the advice of his Council, according to the Instrument of Government, call and admit those onely who were best affected, and well disposed, into the Parliament House; by whose wisdom and advice with little disturbance and contradiction the three main Pillars of the State, which were then tottering, were firmly fixed and established by Act of Parliament; to wit, the supreme Magistracy was confirmed in his Highness, the succession settled, and the Liberties of the people were Ratified, and secured by his Highness, according to the advice and Request of the Members of Parliament; and were not as he impudently saith, Pimps of Tyranny, onely employed to draw the people to prostitute their Liberty.

F. 122.

How unworthily and injuriously therefore doth this Impostor brand that pacifique and prudent Parliament in divers passages of his Pasquil with the strange name of a *Junto* (with whose sound he is as much pleased as children are with the strange noise of a Rattle) because it was purged and cleansed of such malignant and factious spirits, and not virtuous, as this Impostor saith, who would have fomented discord and dissensions among them: By which means the distracted State of these Nations is happily united to the content of his Highness, and satisfaction of the People: And that with the approbation and applause of the Religious, Zealous, Faithfull, and Courageous Officers and Souldiers of the Army, as he stileth them, notwithstanding his conjuring imprecations, who for their fidelity upon occasions, are deservedly advanced & exalted by their magnificent & victorious Prince & General; & not ruined by him whom they raised, according to this Impostors *Machiavilian* rule, which, he saith, Princes observe, when they are in power, never to make use of those that help'd them to it; unless they be such as this Impostor is, Seducing Mutineers, who are justly purged, and cast out of the Army like dung, and like cudged hounds lye lurking in their kennel, bawling, barking, and catching at flies, and are not like to rise, or be exalted, unless it be as *Haman* was, and as he divineth, be hanged up like bottles.

F. 155.

Qui male dixerit pejus audiet.

His Preface now ensueth, wherein, like the Fox, though he seems to change his hair and outside, yet still retains his nature and manners, according to the Proverb, *Vulpem pilum mutare, non movet*; and pretendeth, that it was not instigations of private revenge and malice (though it may be conceived, *manet alta mente repositum*, that his publique disgrace doth still stick in his stomach) but indignation did make him break that silence prudence would perswade him to use. But indignation and anger, saith the

Royal Preacher, reflecteth in the bosom of fools: And, *Ira furor brevis est*, Anger is a mad Pen-man, which makes him use such frantic and wild expressions. But what is he angry at? but that he shall employ his time and pains to little purpose (which he truly divines) or to think that any reason of his, or convictions of theirs, shall draw men from any thing wherein they shall see profit, or security; or to any thing wherein they shall see loss, and fear of danger (which also is true) for, by the dictate of reason, every one is taught and convicted to pursue his own profit, and to shun danger; neither will any one of sound sense hearken to his unprofitable and unreasonable delusions.

And, that we court our bondage, and place it among the requests we put up to him (which is *illi cordolium*, and strikes to his heart to see the sincere affection of the Parliament, and their respective observance) And, that he expecteth not only danger from ill men, but disallowance from many which are good, that have a zeal, but not according to knowledge (neither of which he hath, which therefore he must expect.) All his hopes is, in honest and wise men, which, he saith, are but few, or indeed none at all; for what honest or wise man will give ear to his projects, which as he confesseth, appear so bloody, and so cruel, unless such discontented and forlorn persons as himself, whose life is a death to them, and for whom *Timon Misanthropos* hath prepared a new Gibbet in his Garden, expecting daily their desired hanfel.

But his foul Pen bespatters not only his Highness, but his accomplices, as he terms them, and especially Mr. Speaker by name, for giving Mr. *Sindercombes* traiterous designe the epithites of bloody, wicked, and proceeding from the prince of darkness, fearing that the people judging of things according to their outward appearances, without penetrating at all into their causes and natures, when they shall read the Pamphlet of Mr. Speaker, they will certainly think he gives those plotters the right Titles; and not without good reason; for though the vulgar do not ordinarily dive into the causes of things, are not wise enough to apprehend them, yet most of them are so wise, as to hearken unto the advice and reports of those whom they know to be wise, and able to judge of them (whom Aristotle in that respect adjudgeth to be wise men) And therefore without doubt, they will sooner believe what is declared by Mr. Speaker, who is a man of Authority, and who hath always been reputed *vir bonus, & sapiens*, a wise, and honest man, then that what is feigned and foisted in the Pamphlet of this Impostor, an obscure, scurril and lying Pasquiller, which for it in divers places of the City of London was burnt by the people, for want of an Hangman, which is notoriously manifest, in that he seemeth to doubt of *Sindercombes* traiterous design, and suspiciously to ascribe it to his Highness invention, whereas the contrary is made clear by the confession of his confederates, and upon sufficient evidence, at a publique Trial, so adjudged. Which is not unlike to his lying protestation, to wit, that his principal intent in this paper is not to declaim against my Lord Protector, or his Accomplices; and that were it not more to justify others then to accuse them, he should think their own allions should justify them sufficiently; which, as *Ci-*

cero, is magnum & impudens mendacium, a great and impudent lye : For in his Supplication he perswadeth his Highness to his happy expiration, and that his death shall something ballance the evils of his life. And in his Dedication he inciteth the Officers of the Army against him, that they can never redeem their honour untill they see their revenge upon his faithless head. And herein in his Preface he justifieth it lawfull for *Sindercomb* to have killed him, as a *Tyrant*, and by consequence for any other private man. If then to perswade his Highness to his expiration, or to incite the Army to take away his life, or to allow it lawfull for any private person to kill him, and that as it is probably said, *tribus bolis*, he would have him forthwith devoured one way or other, be not principally to declaim against his Highness, then fools cannot speak nonsense.

But what will *William Allen* gain by his lying, but that when he speaketh truth, no man will beleve him, but say to him as it is said in the Comedy, *Si dixeris mendacium solens tuo more feceris?*

But to pass by his other senseless and superfluous passages, and to discuss and examin his three serious questions, which contain in them the contagion and venom of this pestilent Pamphlet.

The first is, *Whether my Lord Protector be a Tyrant or no?* which he saith is no question, and would dispute *ex non concessis*; but he shall neither find it granted of us, nor proved by him.

The second is, *If he be, whether it is lawfull to do justice upon him without solemnity, that is, to kill him?*

The third is, *If it be lawfull, whether it is likely to prove profitable, or noxious to the Common-wealth?*

The first question *Barrotus* makes Tyrants of two sorts, *In titulo*, or *Exercitio*; the one is called a Tyrant, because he hath no Right to govern; and the other, because he governeth not rightly, or as he Phraseth it, Tyrannically; and at last inferreth that the Protector may with great Justice put in this claime to both Titles, but how unjustly, the conclusion will manifest.

And then saith, that we shall sufficiently demonstrate who they are that have no right to govern, if we shew who they are that have: And first he premiseth truely that the supreme Power was first placed in Fathers of Families, as *Aristotle* tells us from *Homer*, that every one gives Laws to his Wife and Children; so *Adam* was the King and Lord of his Family; and a Son a subject, and a Servant was then one and the same thing; and this power was exercised everywhere where Families were dispersed, and some small time in some places after Commonwealths were constituted; but whereas *William Allen* assumeth, that after, of many Houses and Families a Society was made, the supreme Power was designed and settled in one man, by the consent and Election of the people, where the immediate appointment of God himself did not interpose; *William Allen* must give me leave to leave him; for after the fall of our first Parents the natural State of men, before they were settled in a Society, as Master *Hobbs* truely saith, was a meer Warre; and as *Cicero* saith, *tantum haberent quantum manu ac viribus per cadem & vulnera eripere, & retinere potuissent*: had so much as by ning Govern-
force and might through wounds and slaughters they could obtain and re-
tain;

Plant. Amph.

Arist. Polit. l. I. c. I.

F. 14.

De Regis Insti-
tut. Fo. 16.
Gen. 6.
Lib. 1.

tain; and as his Master *Mariana* in those times, *Ubique latrocinia, direptiones, eadeſque graſſabantur*; everywhere Robbery, Rapine, and Slaughter did rage, which abhorreth not much from the Sacred Scriptures, as is plain by the Tragedy of *Abel* and the Murtherous minde of *Lamech*: And what may be meant by the Giants who were mighty men, and in the old time men of renown, but such as *Thucydides* writes of, who by force and rapine did snatch and catch what they could from others, holding it an honour, and no disgrace, so it was Valiantly done; all which continually happened before the ſetlement of a Society by a Supream Governor; how then was it poſſible for ſuch a diſcordant multitude of people ſolemnly to concur, or unanimoſly to conſent in the Election and approbation of a Supream Magiſtrate, which indeed at that time was *bellua multorum Caput*? and though God for the ſpecial care he had of the People of *Iſrael*, did ſome-time after a ſpecial manner chooſe their King, whom the people afterwards did accept and approve, yet cannot this Impoſtor find any Place or Text in the Scripture, where any Power or Commiſſion is given to the people to govern themſelves, or chooſe themſelves a Governor, or to alter the manners of Government at their pleaſure; though this Impoſtor would obtrude a *gula* wreſt the Text of *Deut. 17. 14, 15.* to that purpoſe; *If thou ſay I will ſet a King over me, like as all the Nations are about me; Thou ſhalt make a King over thee, ſuch as the Lord thy God ſhall chooſe*; ſo as notwithstanding their ſaying, the choiſe and nomination of their King was to proceed from God; and therefore according to that prediſtion, when the people did aſk a King; and that *Samuel* would make them a King to Judge them like other Nations, he ſhewed them *Saul*, ſaying, See you him whom the Lord hath choſen, which the people acknowledged, ſhowing and ſaying, God ſave the King.

And in that he ſaith, *it is plain in that place that God gives the people the choiſe of their King, for there he inſtruſts them whom they ſhall chooſe, one of the miſt of their Brethren*: This is otherwiſe; for he there ſaith not they ſhall chooſe a King from among their Brethren; but they ſhall make a King over them; from among thy Brethren, whom the Lord God ſhall chooſe; that is to ſay, ſhall approve and confirme Gods choiſe: So *Saul* was choſen by God, and anointed by *Samuel*, but was made, that is, confirmed King by all the people in *Gilgal*; ſo *David* was choſen by God, and anointed by the ſame Prophet, but was afterwards confirmed by the people of *Juda* and the Elders of *Iſrael*.

And if the peoples conſent were alone ſufficient, then was Gods choiſe in vain; but I hope this Impoſtor will not be ſo vain in this as in other things he is, to make Gods Election and choiſe vain, to pleaſe the people; for *Deus quæ natura nil faciunt fruſt*; a God and nature do nothing in vain: Much more he ſaith he could ſay if it were a leſſe Maniſeſt truth, to wit for the Election of the people; but how can it be a Maniſeſt truth is ſo abſonant from reaſon? for it is averſe from reaſon, that men who are free by nature, ſhould by free Elections expoſe themſelves to imperious ſubjection, without fear or force; for by nature every one *aſſerime Reſtorem patitur*, unwillingly and ſtubbornly endureth a Ruler; eſpecially to have the power

Oratio ad Cæſarem.

Power of life and death over him, as every Ruler hath; whereupon *Patricium* inferreth this conclusion, *Nulla gens sine aliquo metu, vel vi supremo* De rep. F. 6. *Magistratus se subiecit*; and therefore as Bodin saith, Aristotle is deceived in supposing that Kings were chosen by the suffrages of the people; *fallit enim Aristoteles, saith he, qui aureum illud genus hominum Fabulis Poetarum* Bodin. de re- quam ipsa re illustris, *Reges Heroes suffragio creasse prodidit*; Aristotle de- pub. l. 2. c. 2. civeith in that he sheweth that the people who lived in the Golden Age, did create their Heroique Kings by suffrages, which is more illustrious by Poetical Figments then by real truths; for it is perspicuous that the first Kingdom and Royalty was constituted by *Nimrod*, whom the Sacred Letters call a mighty Hunter, because by force he gained his Kingdom; for before his age, Liberty was equal to all; and he was the first that compelled Free men to subjection, and therefore is called *Nimrodus*, that is *Dominus* In. Gen. 10. *metuendus*, a terrible Lord, and as *Tostatus*, was the first King and Monarch, because we read of none in Holy Scriptures Reigned before him.

But against this I surmise this Impostor will object who goeth about to make all Princes Tyrants in *Titulo*, whose Power is not founded on popular Election or consent; that *Nimrod* was a Tyrant, because he was a mighty Hunter, *Populosque vi & armis Sceptro subiecit*, and subjected the people by force, and Armes to his Scepter; but on the contrary he is said to be a mighty Hunter before the Lord, because as *Chrysostome* saith, *robur accepit* Cajus in Arist. *rat a Domino*; he had received his strength from the Lord, by which he subdued the people that lived in that age; and that he *nutu & beneplacito Dei*, *Cornelius de lapide*, Melchior *Canus*, *Aben Ezra* in 10. Gen. make *Nimrod* a Tyrant, he must make the will and power of God Tyranny, by which he obtained his Royalty; for as *Aquinas*, *effectus semper convertitur in suum principium*; the effect is alwayes converted into his principle: It is clear therefore, that if we respect the foundation of Government, it is not Election or consent of the people, as this Impostor would have it, but force and Armes which first raised and established it; which is also confirmed by Judicions *Tholosanus*, *primus vi constituit imperium*; alii *partim successione, alii Electione facti sunt reges*: The first by force constituted a Kingdom; others were partly by succession, and partly by Election made Kings. Election then hath no priviledge in a Commonwealth, which was first constituted by force; neither in a setled Commonwealth hath it any power where succession reigneth, which is almost universal; and where it hath any vigor, it is but little and in part; for many Princes are and have been chosen by some part of the people, but by the whole or major part none at all; but most have been by the nobility, Gentlemen, and Princes of the blood, as in *Poland*, *Denmark*, *Swethland*, and *Germany*, and not by any collective or representative body of a Nation, whence this Impostor may learn, if he scorn not instruction, that all just Power of Government is not founded upon those two bases of Gods immediate appointment, or the peoples consent, as he would have it; but *datur tertium*, to wit Warre and Victory, which he might have learned of the ancient Father *Tertullian*, *Imperia*

Apoll.

Resp. ad Apol.
lo. jur. F. 124.

peria armis quari, Victoriâ propagari; that Empires are purchased by Armes, and proragated by Victories; or else of his new Master *Suares*, Solent interdum provincia seu populi liberi involuntarie subijci regibus per bellum; Provinces and free people are unwillingly sometimes made Subject by Warre; but this hapneth to be done justly or unjustly; when therefore Warre hath a just Title, the people is justly deprived of the power they had, and the Victor that prevaileth against them, hath true Right and Domiuiou over them: For *jus est in Armis*; there is Right in Armes, and it is the most potent Right, which the Roman Civilian *Cicero* was at the last forced to confesse, *Nullum Jus plus potest quam arma*; ut enim quisque potensissimus est, ita iustissime dicere, & facere omnia videtur; no Law hath more power then Armes; for as every one is more potent, so doth he seem to say and do all things most justly. By this it is perspicuous that there are three bases of all just power of Government, the immediate appointment of God, Warre and Victory, and the Election and consent of the people. And therefore this Impostor shall give me leave to inferre his conclusion, that whosoever doth arrogate to himself that power, or any part of it, and cannot produce any of these three Titles, is not a Ruler but a Tyrant. And now let this Impostor dare to ask his Highness, *Quis se constituit Principem & Judicem super nos?* who made the Prince and Judge over us? and he shall be fully answered, to wit, that he was made a Prince and Judge over us: by the immediate appointment of God, by the Right of Warre, and by the consent of the people, which two Titles dimane also from the Divine providence, as shall be in the sequel showed; but first of the immediate appointment of God.

Ep. ad Atticum.

Rom. 13. 1.

Ib. 2. 4.

Homer.

Prov. 14. 21.

Dan. 2. 21.

Apology fetcht
out of Allem

The power of all Kings, Princes, and Rulers, immediately proceeds from God, though not by his special revelation, which was onely incident to some of the Kings of *Israel*, yet by particular designation, which is common to all, and is a matter of Faith, if we will believe *St. Paul*, who saith, There is no power but of God; which he useth as a reason to perswade due obedience to the Prince; and that God is the immediate Dispensator of that power he proveth by the Authority God hath given to a Prince to revenge and execute wrath upon him that doth evil, by depriving him of life, if it be requisite as he saith, that he beareth not the Sword in vain, which is onely in the gift and power of God, who is *Dominus vite & necis*, the Lord of life and death; for no man hath power to take away his own life without the guilt of being a Murderer; and therefore are Princes called by the Prince of Poets *Διογον*, Gods Son, and Schollers; and by a more Divine Poet, Gods, *Dixi quod dii estis*; I have said you are Gods, because they immediately have their power from God.

Solomon the Wisest of Kings acknowledged this. By me Kings Reign, and Princes degree Justice: And *Daniel* who was wiser then all the Astrologers and Magicians, taught *Nebuchadnezzar* this lesson, Thou O King art King of Kings; for the Lord of Heaven hath given thee a Kingdom, power, strength, and glory; and that he changeth the times and seasons; he removeth Kings, and setteth up Kings, which none will deny, but he that saith in his heart there is no God, but nature; to which purpose speaks some of the

the Papists and Jekuits, and especially *Bellarmine*; *In regnis hominum potestas Regis est à populo*, &c. In the Kingdom of men the power of the King is from the people; which power is immediately in the multitude as in the Subject; and *Suares* second to none in subtilty, says that God is said to give this power to the Prince, because he hath immediately given it to the people, who transferres it to the Prince; and this saith he, *is modus maxime connaturalis, & optimus qui intra latitudinem naturalis rationis cogitari potest*; the most connatural, and best meanes, which can be thought or found within the Latitude and extent of natural reason.

Bellarmin. de conc. l. 2. c. 19.
Resp. ad Apolo. Jur. fidel. F. 127.

Which to confirme, he produceth Scripture, that whereas *St. Paul* saith, there is no power but of God; he doth not say that every Prince is constituted of God; for his saying is not of any Prince, but of the power; and so as he said before, the power being immediately in the people from God, is immediately by them conveyed to the Prince; yet will he not allow the power to be immediately in the people; *Ex peculiari institutione & donatione divina*; from the peculiar institution and Divine gift; *sed per naturalem consequentiam ex vi prima creationis*; but by natural consequence from the force of his first creation; in which they seem to ascribe more to natural reason and production, then to Divine satisfaction. But *St. Paul* is his own Interpreter; for after his general Doctrine of obedience to the power, he expoundeth it in the singular, and applyeth it to the Prince in particular, as he is the Minister of God to thee; and then again, that he beareth not the Sword for nought; and least they should forget it he reiterate it, for he is a Minister of God, &c. But it is objected that though *St. Peter* makes the King Supream, yet he tells us the King is an humane Ordinance, or creature of the people; for the words are, Submit your selves to every Ordinance of man, for the Lords sake: but it is answered, Kings may be called an humane Ordinance, for being made of one of the people, and not by the people; and are humane in regard of their material cause, though not of their efficient; and if *Peter* had meant that Kings had been made by the people, he must also have meant that the Governors had been made by the people; for he saith, they are sent by him, not by them, for the punishment of evil Doers, so as the Governors are sent by the King, not by the people.

1 Pet. 2. 11.

This needs no application, were it not for this Impostors exprobrations; for who but such a blind Bayard will question who made his *Hightness* a Prince and Judge over us, and cannot see what wondrous works the immediate hand of God hath wrought by him, who as *Moses* delivered this captive Nation from the bondage and Tyranny they groaned under; and though not sent by particular nomination as *Moses* was; yet questionlesse by the immediate designation of the Almighty above ordinary providence; for if we observe his various and marvelous progressions in his military employments, who from a common Commander within a few Summers for his stupendious Victories was made Commander in chief; and from that dignity above his own ambition, or humane calculation, *Resque fide major*, was advanced to the Supream power of these three Nations; how can we but acknowledge that it is the Lords doing; and that it is marvellous

Psa. 113. 7.

in our eyes, who raiseth the poor out of the dust, and liſteth up the needy out of the dunghil, that he may ſit with Princes, even the Princes of the people?

Chyl. rud. Fo. 16.

The ſecond way by which the juſt power of Government is gained, is *bello & Victoria*; by Warre and Victory; for as Maſter *Hobbs* ſaith, it is a *Corollarie* in the natural ſtate of man, that a ſure and unrefiſtable power conferres the Right of Dominion and ruling over thoſe who cannot reſiſt, of which before ſufficient hath been ſaid.

A Title alſo to which his *Higneſſ* may juſtly lay claim, for after the Victorious and invincible Army under the Command of Sir *Thomas Fairfax* and his *Higneſſ*, had layed the Royal part in the duſt, and trampled it under foot, the Enemy which was vanquiſhed in the Field, had recourſe to ſubtile practiſes to corrupt the Parliament, and City of *London*, upon the ſpecious pretences that there was no Enemy in the Field; and therefore no more need of any Army to continue the heavy and unneceſſary charge upon the people: by ſuch Arguments as this the faction prevailed to vote the diſbanding of the Army, and vaſt Summes of the Commonwealths Treauſure were waſted in raiſing Forces, and entertaining of Reformadoes to beat the Army, and thereby to make way for the readmitting of the then King, to the reexerciſing that power which had produced ſuch bloody and fatal effects, and that without any juſt ſatiſfaction given for the ſame to the people, or reaſonable proviſion for thoſe had Faithfully engaged, in the maintenance of them; inſomuch that the Army preſaging what dangerous and bloody conſequences might enſue to the reſinſlaving of the people, and to make void and irritate all their former and glorious Victories; and that the Commanders and Officers of the Army might become a prey to the Royal party; and the Enemy whom they had with great difficulty, and much effuſion of blood ſubdued; and that their own honor and ſafety was now in diſpute; they of neceſſity were juſtly infligated by the principles of nature, and ſelf defence, to oppoſe their bloody, inhumane and ungrateful deſignes, in attempting to ſupplant, and cut off thoſe had been the Patriots and Champions of their Lives, Liberties and Fortunes, and by the power of the Sword, to force them to Victorious conditions; which having obtained by the Right of Warre, the Supream power devolved on them, becauſe they were in an Hoſtile manner unjuſtly invaded and inforced to defend themſelves from imminent deſtruction. And that this was a juſt Warre, let *Cicero* and *Ariſtotele* be Judges; *Illud eſt non ſolum juſtum ſed etiam neceſſarium*, ſaith *Cicero*, *bellum cum vi vis illata defenditur*; that is not onely juſt, but a neceſſary Warre, when inforcing force is defended by force: And *Ariſtotele* to the ſame effect; *injuriarum Paſſos oportet pro ſeipſis Arma capere*; it is not onely juſt, but it behooveth thoſe who ſuffer injury, to take up Armes for themſelves, or to defend their Kiſmen, Benefactors, or Associates affected with injuries, as the Commanders and Officers of the Army did; neither is the objection of any force that in Civil Warre, where the people is divided into two parts, that part which conquereth the other, cannot challenge conqueſt over it by Right of Warre, becauſe it is one Nation, and a Nation cannot conquer it ſelf; to which

See the Declaration of the Parliament of England, dated 24. of September. 1649.

Cic. pro Milone.

Ariſt. ad Alex.

Grotius

Grotius gives this satisfactory Answer, that in such a divided State *Gens Grotius 16. una pro tempore, quasi dua Gentes habentur*; One Nation during the time of those civil divisions, is accounted and esteemed as two; And therefore one part may claim Title of Conquest over the other: as one Nation may do over another. So *Henry* the Fourth, with one party of this Nation, conquered *Richard* the Second and his party: after which conquest he was made King of England, and did not claim that by the Title of Inheritance; for as *Mortimer* said, he was *Heres Malus*: but first by conquest, and then by consent of the people; which commonly follows the conquest, as *Præmium Factum*, a Reward of his Valour, which all men naturally applaud and honor. And so *Henry* the Seventh, with one of the party of this Nation conquered *Richard* the Third and his party; neither did he lay claim to the Kingdom by proximity of blood, for there were others nearer then himself; but the first Title he had was in *Bosworth* field, when after the conquest of *Richard* the Third, he was by publick acclamations saluted King of England. And such Conquerors for right of War may as *Alexander* saith in *Curtius*, *Leges Vitæ dare*, Give Laws and Conditions to the subdued party; and as *Ariovistus* said to *Cæsar*, *Imperare iis quemadmodum vellent*, To rule over them as they please. And so did the Commanders and Officers of the Army: (of whom his Highness was the Head-piece,) by right of War rule and order the conquered party as they pleased; and caused the City to deliver up all their Forts together with the Tower of London, and all the Magazines and Arms therein. To disband all their Forces, and turn all the Reformados out of the Line, to withdraw all their Guards from the Houses; and to receive such Guards within the Line, as the Army should appoint to guard the Houses; to demolish their Works; and to suffer the whole Army to march in Triumph through the City, as Conquerors; and by the same Right did they purge the Parliament of its infected and corrupted Members, which power from that time they constantly retained, and upon occasions continually exercised; and were as Curators to the Parliament and Commonwealth, to remedy the distempers, and rectifie the disorders which the ambition of some, and lucre of others introduced; And in fine, for important Reasons above specified, dissolved that long Parliament; and that poor men under their arbitrary power were driven like flocks of Sheep, by forty in a morning, to the Confiscating of their Goods and Estates; without any man to give a reason, that any of them had forfeited Forty Shillings; and that no door was open to their grievances.

By whose power afterwards a new Assembly & Parliament was constituted; & because it seemed not to be for the good of the Commonwealth, the Maior part of them thought it requisite to resigne, and deliver up the said power unto the Lord General *Cromwell*, which they received from him. So as thereby all Power of Government divolved on the Lord General *Cromwell* as Head of the Army; and by right of War descended to him as General: The Supream Power being then vacant to whom all the acts and honor of the Army is to be ascribed: Because as *Iphicrates*, the General is the head, without which the body cannot act; and as *Curtius*, *militarem sine*

Heywards
Hen. 4.

Bacon, and
Bakers Hen. 7.

Cæsar de Bello
Gallico.

Hen. 4.
See his High-
ness Speech,
12 Dec. 1653.

sine duce turbam esse corpus sine spiritu, A Military Company without a General is as a body without a spirit, and cannot be rancked and retained in its right postures without it; for as the Comædian,

Plant. Amph.

Ubi summus Imperator non adest ad exercitum,

*Citius quod non factio est usus fit, quam quod
Factio est opus.*

And to speak truth without dawbing, he was the Life, spirit and head of the Army; And in all his Battails led them on encountering the Enemy in the front.

Hostibus haud tergo, sed forti pectore natum.

And as Fortunate as valiant, who by the amplitude of his Victories overcame the envy of his Enemies, for which as *Romulus* by the right of War, upon the request and approbation of the Army, he took upon him the supream dignity.

Juvenal.

Ipsum certe Ducis hocque referre videtur,

Ut qui fortis erit, fit felicissimus idem.

This certes reflecteth on a Generals aim,

That he who valerous is, thrice happy raigin.

Arist. lib. 3.

Polit. cap. 22.

And as Aristotle saith *Stucator*, it is just that such a Valourous Prince be Lord of all, and King alone.

And this right and title also floweth from the Ocean of the Divine power; for the Lord is a man of War, and he in War overcometh ever; it was he that girded his loins with strength, and made his way perfect; he taught his hands to war, and his fingers to fight; his gentleness hath made him great, he hath given him the necks of his Enemies that he might destroy him that hates him; he hath delivered him from the strivings of the Enemy, and made him the head of his brethren. And as his Motto and Word in battail was *The LORD of Hosts*: So hath his Highness perpetually and piously ascribed and consecrated all his victories to the LORD of hosts.

The third basis upon which the just power of Government is founded, is the election or consent of the people; and to this title also may his Highness justly lay claim, who to bar up the way against those manifold inconveniences, which have been felt under many other fleeting forms of Government, & to reduce us as neer as may be to our antient way of Government, by supream Magistrates & Parliaments, did at the request & intreaty of divers persons of honor & equality, & of many of the chief Officers of the Army for the good of the Commonwealth, under the name & title of the Lord Protector, take upon him the supream Government, and was by the consent and in the presence of the Commissioners of the great Seal, the Judges, the Lord Mayor and Aldermen for the City of London, the Souldiers, divers Gentlemen Citizens, and many other people and persons of quality, confirmed in the same, with whom being accompanied to *Westminster-Hall*, he did promise in the presence of God, to the best of his understanding, to govern these Nations according to their Laws, Statutes, and Customes; seeking their peace, and causing Justice and Law to be equally administered; whereupon

whereupon the Commissioners and Judges received their commissions from him, by vertue of which they have ever since acted; and as all the Justices of Peace did also act by his Commissions, so did all the Sheriffs according to his Commands and Precepts; and all which came in by process, issued out by the Sheriffs, consented to it, and all the Justice in this Nation hath been administred by this authority; besides, his Highness had the approbation of the Army in *England*, *Scotland* and *Ireland* by Remonstrances, and under signature, the Souldiers at that time being a very considerable part of the three Nations; besides he had the Congratulation of the great City of *London* by way of invitements which was very great, high and publike; and by a numerous body of those who are known by the names of several Corporations and Societies in that City; as also the greatest County in *England*, the County of *York*, with many other Cities and Burroughs, and many other Counties assembled in the publike and general Assizes, gave him thanks for the undertaking of that Burden.

These and many more were the presentary and explicite Testimonies of the peoples general approbations, & congratuations, manifested to his Highness upon his gracious acceptance of this Government. And which of late hath been more amply & indiciouly remonstrated, & declared in Parliament by the Knights, Citizens, & Burgeses, & confirmed, ratified, and established by an Act, that upon publication of the premisles, all and every person and persons of what quality soever are strictly charged, and commanded to take notice of the same, and to conform and submit themselves to the Government established; which Proclamation, being published at the magnificent and glorious inauguration of his Highness in *Westminster-Hall*, with great solemnity in the presence of the Lord Embassador extraordinary of *France*, and the States General of the United Provinces, and divers other noble and honorable personages, the people made great several acclamations with loude shours: *God save the Lord Protector*; and the like congratuations and acclamations, with the expressions of their affections, wishing to his Highness long life, were made by the people of the City of *London*, and so did all the Cities of *England*, *Scotland* and *Ireland*, upon the solemn Publication of the said Proclamation. With what brazen brow can the Impostor now deny but any that his Highness may also lay claim to this Title? if this be not a visible, publike, and general approbation, and consent of the people, then was never published any in *Poland*, *Scotland*, *Denmark*, or any other Dominion or Territory of the Universe; and if there be any refractory, or repugnant to the same, they are such as this Impostor and his Accomplices, malignant men of Belial.

And this also is the Lords doings, who prepared the hearts of the people, and touched them to appear and follow their Prince and Protector, as he did the Band of men that went with *Saul*, after the Lord had chosen him: so as his Highness Council, or *Parliament* as he vainly vaunts, nor any one else shall not be much troubled to answer his Interrogations and Questions, which appear so frivolous and nugatory.

But here this Impostors malice ceaseth not; for though he confidently concludeth

concludeth his Highness to be a Tyrant in titulo, as he falsely supposeth; yet will he have him also a Tyrant in exercitio, and as compleat a Tyrant as ever had been since the first Societies of men; for so he braveth it but as he faileth in the first, so doth he falter in the latter; and doth but labour and blot paper in vain, though he daubs it on with artificial cunning to make the delusion the stronger; for thus he cunningly argues: Is it not Tyranny to change the Government without the peoples consent; to dissolve their representative by force; and to disannul their Acts, to give the names of the peoples Representative to confederates of his own; to establish iniquity by Law; to take away mens Lives out of all course of Law, by certain Murderers of his own, whom he names an High Court of Justice; to decimate mens Estates; and by his own power to impose upon the people what taxes he pleaseth; and to maintain all this by force of Arms? Which criminations, as they are by him expressed, are malicious and contumelious; for he did not dissolve their Representatives by force, or disannul their Acts, but upon necessary grounds, and urgent occasions; neither did he give the name of the peoples Representative to confederates of his own, to establish iniquity by a Law; but he purged the Parliament of its unsound and putrified members, and settled in it sincere and sound persons who might act nothing but what was agreeable to Law, and equity, as is in the premisses expressly proved; neither did he take away Mens Lives by certain Murderers of his own, but did make Commissioners, & erect an High Court of Justice, to take away the Lives of such Rebellious & murdering persons as this Impostor & his Accomplices are, who would have taken away the life of their Prince and Protector, which he justly might do; neither did he decimate Mens Estates, and impose upon the people what taxes he pleased by his own power: but he by the power was given him by the Army, with the consent of many honorable people as well as others, at his installation at Westminster-Hall, and in other places, by whom he was created Lord Protector, did by advice of his Council for the maintenance of the Army and Navy, and defraying of other necessary charges which concerned the honor and safety of the Commonwealth, decimate mens Estates; & impose upon the people necessary taxes. All which as he truly saith, he maintained by force of Arms out of all course of Law, as by right of War and his second Title he might, as hath been fully debated, and decided. Besides, though upon acceptance of this Government, with the consent and approbation of the people, his Highness hath promised to govern these Nations, according to the Laws, Statutes and Customes; yet is it a Rule in the Divine, Civil, Canon, and the Common Laws, that necessity hath no Law, and that *Necessitas facit licitum quod alioquin fuerit illicitum*; and that necessity maketh that lawful, which otherwise should not be lawful; and Princes strained with imminent and urgent necessity for the dignity and safety of the Commonwealth, no established Law providing for a present remedy, may justly do those Acts which otherwise by the course of Law were unlawful, as to decimate Mens Estates, and by his power with the advice of his Council to impose such Taxes as are convenient and necessary.

And as the learned Legist. Sir John Davis saith, The King by his Prerogative

Ploy. f. 19.

Tholosan. Syn.

l. c. 18. and 28.

Davis Rep.
fol. 12.

gative Royal to support the necessary charges of the Crown, may decree Imposts and Impositions payable upon Marchandizes; and so have Princes heretofore by their Prerogatives to encounter suddain dangers and mischiefs, which would not endure so much delay as the assembling of the great Council of the Commonwealth, used their Edicts and Proclamations, which Mr. Pym a grave and prudent Senaror of this State stileth the most eminent power of a Prince, and the most glorious beams of Majesty, Mr. Pym his in commanding Obedience and Subjection, which he calleth *Leges Temporum*; and onely disallows them for the abuses in being exercised for the 1642. fo. 31. maintaining & enjoying offundry monopolies, and other graunts, exceeding burthensome and prejudicial to the people. And therefore, how can this Impostor answer his Highness Question in this point, Whether the people should prefer the having of their wills, though it be their destruction, rather then to comply with things of necessity? which as he truly Divines, he should wrong his Native Countrey to suppose: unless he will suppose the necessity to be fained, & imaginary, which his Highness acknow- *See his High-* ledgeth to be the greatest couzenage, that men can put upon the Providence *ness Speech* of God, and which his Princely and Paternal care abhorreth. Besides, his 22 Jan. 1654. Highness acted nothing in this kind, but by the advice of his Council, *See his High-* who are the Trustees of the Commonwealth in all Intervals of Parliament, *ness Speech the* and hath an absolute negative upon the Supream Power in the said Inter-; 12 of Sept. vals, as the Parliament hath in the sitting; so as it is not his own, but a mixt 1654. Act by the advice of his Council, who in all probability would not advise him to any thing but what is necessary and expedient; and if they should, the offence would lie at their door. And thus are the preterit Ordinances of his Highness fully cleared from the unjust asperion of this Impostor in giving him the title of the *Violation of Laws, and Exercise of Tyranny and Robberies.* And for the future to prevent all ensuing mistakes and suspitions of the necessity of imposing Taxes on the people, upon provision made for the support of the Government and Safety of these Nations; It is declared and enacted, that no charge be layed, nor no person be compelled to contribute to any gift or loan, benevolence, tax, rallage, ayde, or other like charge, without common consent by Act of Parliament. *See the humble Pet. and advice of the Parl. &c. the 17 of Sept. 1645.*

But to proceed in the canvassing of this Impostors Calumniation; and whereas he saith, *That notwithstanding his Highness hath done all these things, yet for his preservation the people must pray,* as if it were impiety in the people to pray for him. Our Saviour Christ was of another mind, whose Council is, to pray for them who despitefully use or persecute you; And so was his selected Apostles, who exhorteth that first of all prayers, supplications, intercessions and giving of thanks be made for all men, for the King, and those that be in Authority. And who had rule over them at that time, but Nero? a reputed Tyrant; and for persecuting Christians supposed to be Antichrist; wherein by the fruits we may perceive of what spirit this Impostor is; for he hath not the fruits of the Spirit of our Saviour Christ, the Prince of Peace; to wit Love, Joy, Peace, &c. but he hath the fruits of the spirit of his father the Devil, to wit, envy, cursing, lying, and all manner of

*1 Tim. 2. 1.
Swarex respons.
ad Apolog. pro
Jur. fidel.*

Mat. 5. 45.

reviling; So if his father, the Prince of darkness should be deposed, by right of inheritance, the succession may properly descend to him as the Devil Incarnate; who is the worse, and most dangerous Devil.

And now in every respect are the reasons of this Impostor, by which he fortifieth his first Question, utterly quashed, notwithstanding his vain-glorious triumphing before Victory, that it is a Question no longer.

But before he comes to the Second Question, seeing things are more easily perceived by the Description of Exterior Accidents and Qualities; he thought it not amiss to see whether his Highness hath the outward marks and characters by which a Tyrant is known, as well as he hath their nature and essential properties. which, as he saith do so naturally correspond to his Highness that it cannot be doubted, whether his Highness be the Original or the Copy, or whether he hath in drawing the Tyrant represented him, or in representing him expressed a Tyrant. But here also will his fair and glorious pretences prove but shadows and sick mens dreams; for as it hath been exactly proved, that the nature, and essential properties of a Tyrant are not to be found in his Highness, no more cannot the exterior accidents and qualities be inherent in him; for if the nature and essential properties be not in him, the external accidents and qualities also cannot; for as *Arist. Categ. c. 2* *stotle*, *Accidens non potest esse sine eo in quo est*; and therefore cannot the Characters be aptly and properly applied to his Highness, though they be not of his own stamping, as he saith: but such as be found in Plato, Aristotle, Tacitus, and his Highness own Evangelist Machiavel; who indeed is his only Evangelist: for he seemeth better versed in him than in the Gospel; having cited more Texts and Passages out of him, then out of that, whereas his Highness in his Writings never mentioneth him, nor ever had him in his mouth; as this Impostor every where hath who supposeth his Paradoxes authentique, whereas neither his Highness, nor any Pious Prince will adhere to his authority, and therefore in vain cited by him.

Howsoever, if we examine his Characters, Marks and Scutchion of a Tyrant, which he would fasten on his Highness sleeve, we shall find them sleeveless, and altogether impertinent.

The first Character is, That all Tyrants have been first Captains and Generals of the people, for which he quoteth *Aristotle*; but his words are, all Tyrants have been made *ἐκ δημοκρατίας*, of Leaders of the people, and so have all Kings & Princes; for without a party of the people, how can an Army be raised? and without Armies how can there be Leaders? So *Arbaces*, and *Cyrus* Leaders of the People were made Kings, the one of *Assyria*, and the other of *Medea* data libertate, for giving and gainings the Peoples Liberty.

Arist. Pol. l. 5.
c. 10.

See the humble advice of
Parl. 1656.

And so was his Highness also made *Protector* of these Nations, for delivering us from Bondage and Tyranny, and restoring us to Peace and Tranquillity, as is declared by our Representative in the last Act. But to construe it according to his own mind and meaning, which is incongruously pacht out of *Aristotle* and *Tacitus*, That his Highness being made a Leader for the people, under pretences of vindicating and defending their Liberties

*Liberties did subvert the present Gouvernement, which being done, he invaded that Liberty himself. And so indeed his Highness was made a Leader for the people, and did vindicate and defend their Liberties; and vanquished their Tyrannical Enemy: but when some of the Corrupters of the people (contrary to the Law of Nature and Reason) in an hostile manner would have compelled their Leaders by force of Arms to have subjected themselves to the power of the Tyrant, whom they before had conquered, then according to the Law of Nature were they inforced to repel such ingrateful and destructive injuries & aperto Marte, to force them to submission and subjection, whence by the Law of War their Command, Rule and Government was transferred on them which they afterwards always exercised over them, as hath been before argued and determined; yet did not their Leaders leave them, but persevered to maintain and defend their Liberties against the said Tyrants abettors, and never ceased till they had wholly and perfectly routed and subdued them, for which not only by the Law of War, but by the Consent of People, and A^t of Parliament, the Supream Power was placed and settled on his Highness, by whom we enjoy our Liberty more fully then before we did in our new modelled Democracy; for as Aristotle's Tyranny is a confused and mixt of Timocracy and Democracy, of the principalities of a few, and the power of the people, and hath the vices of them both; for the vicious end of the one, as his accurate Expofitor Camerarius observeth, is to be an Enemy to the noble and rich men, and them either to destroy or exile, of which we have had sensible experience; and the vicious end of the other is through diffidence to afflict the people, to banish some, and dissipate others into several places, which also hath been formerly practised among us: but by Monarchs and the Government of one these Vices are rejected, and remedied. For as Aristotle saith, by it the nobles and rich are defended from the injury of the multitude, and the people are protected from the oppressions of the Nobles and Rich: So as there is no greater Liberty then in Monarchy, by which the Tyrannical vices are expunged and expelled; and the Nobles are according to their virtues worthily preferred and defended, and the People according to their deserts advanced. And this is his Highness cases far different from that of *Panetium*, *Pysistratum* and *Dionysium*, whom Aristotle produceth as examples of Tyranny. And now I am of the Impostors mind, this needs no further application.*

*Arist. Pol. l. 5.
c. 10.*

The second Character is, That Tyrants accomplish their ends much more by fraud then force; neither virtue nor force are so necessary to that purpose, as *Una astutia fortunata*, A lucky craft which without force hath been found sufficient, but never force without that: wherein he mistaketh his *Apostle Machiavel*, as if in that place he should denote a crafty Tyrant; whereas he intimateth a prudent Prince, as if his Prince were all one with a Tyrant. For though all his Precepts collectively taken are not authentick, or allowable, yet some parts of his policy are necessary and useful, for the gaining and preserving a Princes State; as Guards, Garrisons, Fortresses, Vigilancy of Councillors, diligence of Spyes, and Intelligencers; for which reason acute *Claymore* in dispraising commendeth him *pro politico magni acuminis*

*De Arcanis
Imperii, f. 207.
sed*

sed minus sana & pia mentis, for a Politician of great wit, though not of a sound and pious mind; and if we read him with a Chymical Judgement, and refine him by Religious Policy, we shall find many conditions in him worthy our observation and practice, whereof this is one, that Virtue and Fortune avails not so much in obtaining a principality as a lucky craft; for as the *Civilians* distinguish, there is *dolus bonus*, a good craft; if it be as *Plautus* saith, *sine omni malitia*, without any malice; and is called *solertia*, a cunning craft; which is not disallowable, but laudable, especially in a General or Prince, as it was in *Hannibal*; in which the nature of the Lion and Fox did concur; and in *Darius Hidaspes*, who by the cunning craft to make his Horse neigh, gained the Kingdom of *Persia*; and in *Servius Tullus*, the Son of a Captive, who being substituted in the place of a King, by *Tanaquil* his Queen, *Regnum dolo partum sic egit industria ut Jure adeptus videatur*, did so Rule the Kingdom gotten by craft, that he seemed to have gained it by Right, and obtained that by craft they could not have gotten by force; for as *Tacitus*, *plura consilio quam vi geruntur*; and as *Machiavel*, fraude without force hath been sufficient, but never force without that; and though he saith that it is praise-worthy in a Prince to deal plainly, truly, and really; yet is there Serpentine prudence to be used in his Dovelike plainnesse, and ought to be participate of the fraude of the Fox as well as the force of the Lion; and as this Impostor Phraseth it, to have the Tail of the Fox as well as the Skin of the Lion; thereby as he saith, *aggregare I cervelli de gli homini con astutia*, to wind himself into the braines of men with craft, and by plausible pretences to feel the pulse of their affections, or to discover their sinister intentions, that in the end he may Master those had so little wit as not to rely on his Faith and integrity; of whom I believe this Impostor to be one by his little wit in that point; neither is such dissimulation unlawful, as a Pious Politician averreth, but Lawful and commendable, yea, and sometimes necessary; especially in Princes, who ought to cover their intentions with more care and circumspection then other men, so as it may well and truly be said, *qui nescit dissimulare, nescit regnare*; he that knoweth not how to dissemble, that is to say, discreetly to Cloak and cover his Intentions, when occasion requireth, knoweth not how to Reign; so Pious *Aeneas* concealed and dissembled his departure from *Dido*, for which she Taxed him in the same Termes,

*Dissimulare etiam sperasti perfide tantum
Posse nefas, tacitusque mea discedere terra :*

But wherefore doth this Impostor shew his Highness for his fluency in teares? *Elisha* wept for the evils would fall on the *Israelites*; and our Saviour bitterly, to foresee the destruction of *Hierusalem*; and why should not his Highness weep to see the evils did afflict his Countrey? who by his prayers and teares did prevail more with God, and worke more in the hearts of the people of great prudence & piety, though this Impostor shamefully defileth his own nest, (in styling them a people of great Faith, and little wit) more then his courage and the rest of his moral virtues with the help of his Commillions, which he scottishly calls his Janisaries; leaving the eloquence in execrations and contumelious opprobries to himself, who will never leave them till the halter hath him.

The

Just. l. 1.

For l. 1. c. 6.

*Tacit. Ann. 2.
Mach. discovf.
l. 2.*

*Mach. Princ.
18.*

*Artyl. Religi-
ous Policy, c. 31.*

Virg. Aeni. 4.

The third Character is that *they abuse all excellent persons, and ridde out of the way all those have noble minds; & terra Filios extollant, advance Sons of the Earth, which he thus applies, that his Highness purged both Parliament and Army, till he left few or none there that had either honor or conscience, either wit, interest or courage to oppose his designs, which before hath been effectually answered, to which he referreth the Reader; neither were there any excellent persons abused, or rid out of the way; but such as this Impostor is, who were disturbers of the quiet and peace of the Commonwealth, as they justly deserved; neither were there any advanced but for their Valour and Virtue, which is *Vera nobilitas*; for we are all *terra Filii*; and it is not birth, but worth puts the difference between us.*

The fourth Character is, they dare not suffer assemblies, not so much as *Horse-races*; but to use *Aristotles* words, they strictly forbid Feasts and Companies, and take away Schooles of Learning; all which his *Highness* approves, and hath honoured the Schooles of Learning as their Head and Chancelour; but Horse-races were prohibited three years ago, when mischievous plots were forging and acting in the State, and that but for a time to prevent new troubles might be raised in such a great concourse of people by ill disposed persons.

The fifth Character is, that in all places they have their spies and dilators, which though he borroweth of *Aristotle*, yet may we without reprehension deduce from our Master in this, because experience, which was his Master, and that practice of Princes teacheth us, that Spies and Intelligences are necessary Members of a State; and as *Bodin*, *Necessarie sunt quidem magni principibus largitiones ad hostium consilia, copias & opes evertendas, nec potest ullum magnum Imperium speculatoribus carere*; Stipends are necessary to a great Prince, neither can any great Empire want Intelligencers to frustrate and overthrow the Counsels, Forces, and Estates of the Enemies: But how impertinently and impudently doth he apply this? besides many innumerable spies, saith he, they have their *Fleetwoods, Bragbals, and St. Johns* to seem discontented, and not to side with them, that under that design they may yet trust, and make discoveries. The poison of *Aspes* is under his lips, and his venomous tongue spares none comes within his reach.

Qualibet in quemvis opprobria figere savius.

Horat.

But how should this Impostor know these things, unless he hath more Spies then his *Highness*, which surely he hath, such as frequent Tavernes, Alehouses, and Barbers Shops, who stamp news by the Print of their own phancies, and will seem to know those things which never were done, or never will be, of whom the Comedian wittily,

Qui res alienas curant opere maximo,

Qui omnia simulant scire, nec quicquid sciunt,

Quae neque futura, neque sunt facta sciunt.

Plaut. truo.

Who into others Acts do drive with curious eyes,

And all things do pretend to see, yet nothing Spies,

And seem to know what never was, or will be done.

But why should these honourable persons weigh his Fables, which are above Poetical fiction, and which none will believe but Fools and Mad men,

his onely Parasites and Patrons? his *Highness* also, saith he, hath his *Emissaries* to send with forged Letters; if any one doubt this, let him send to Major General Brown, who will satisfy him; and what saith Master Brown? he cannot justify any Letters to be forged; onely he suspecteth that one who brought him Letters from *Charles Steward*, received not condign punishment; But though his *Highness* is clear of this calummie; yet hath that been Judged *arcanum imperii*, a secret of Government in Princes and Generals, to forge Letters, thereby to fish out the affections of those they doubted to be disaffected, or for other Politick ends, as *Eumenes* and *Sertorius* did, which in such cases is not unlawful, according to the practice of the Emperor *Frederick* the first, and *Lewis* the eleventh King of France, whose proverb was, *qui nescit dissimulare, nescit imperare*; and which less on the said *Lewis* would onely have his Son to learn, as before hath been intimated.

*Plutarch. vita
Eumenis.
A Gell. l. 15.
c. 22.*

The sixt Article is, *They stir not without their Guard, nor his Highness without his Life-Guarde*, as if it were Tyranny in a King or Prince to have a Guard; which is not onely useful, but necessary to defend himself from the ambitious and seditious; without which no Majesty is safe, or secure; for as *Pontanus*, *amor incedit inermis, Armatus dormit*; love walkes unarmed, but the Armed man may sleep: and truly *Aristotle* being a witness, the use of such Guardes is necessary as well in a quiet and peaceable Commonwealth as in a turbulent and seditious; for how, saith he, can a King exercise his power, unlesse he hath about him Force and Armed men, to resist those oppose it? But he saith, his *Highness* hath a Life-guarde, and so had *Romulus* three hundred Horse-men, *tam pace quam bello*; as well in peace as Warre for his Royal body. And for the same cause *Antoninus* had German Horse-men; but this Impostor would faine have him to discard his Life-guarde, that his Bravos may the sooner slay him.

*Arist. l. 3. Pol.
c. 11.*

Liv.

The seventh Character is, *They impoverish the people that they may want the power, if they had the will to attempt any thing against him.* His *Highness* way, saith he, is by Taxes, Excise and Decimations.

But let us remember what the Impostor said to his Reader, that he should not want Proofs, if he wants not memory, whereas herein his own memory faileth him; for he might have called to memory that the like Taxes, Excise, and Decimations were imposed by the Parliament; for which in all his passages he pleadeth whilest that possessed the sole Government; *Quia ubi est eadem ratio, ibi est eadem lex*; and where there is the same reason, there is the same Law; and if such Taxes were Lawfull then, and did not impoverish the people, how can they for that reason be unlawful now? But if his *Highness* should have imposed such intolerable Taxes on the people, as *Dionysius* did on the *Syracusans*, having by them within five years space exhausted the wealth of *Syracuse*, for which *Aristotle* in the same place, from which he extracteth this Character, branded him with Tyranny; or if he should have laid such Imposts on them, as the Duke of *Alva* did on the *Netherlanders*; who, as *Bodin* saith, exacted the tenth part of their Vendible goods; by which device within a short time he almost swallowed up all the Merchants Estates (they using to sell the
same

*Arist. Pol. l.
3. c. 11.*

(same ten times over) then might he have had just cause to charge his Highness with the impoverishment of the people; but since he hath alwayes imposed moderate and necessary Taxes, according to the publicke occurrences and occasions, and now onely such as are ratified and established by the last Parliament, this Impostor may put up his Pipes, and set down by weeping Crosse.

The eighth Character is, *that they make Warre to divert and buisy the people; and besides to have a pretence to raise money, and to make new Levies if they mistrust their own Forces, or think them not sufficient*: But the words of Aristotle are, they make Warre least the people should be idle, and that Arist. Pol. 5. they may have need of a General; and varyeth nor a little from his alleged Authority, to intrude his own Inventions; but herein also must we shake hands with our Master, being taught by experience, that as Bodin, *nihil est utilius quam externis bellis implicari*; there is nothing more profitable then to make Warre with Forrainers. Bodin. de repub. l. 4. c. 1.

And first to invert Aristotles reason, that idleness in people may be taken away; for idleness is the Mother of all vices, and begetteth vicious persons in a Commonwealth, which unless they be expunged, the body will be vitiated and corrupted. Therefore it is necessary to make Warre; whereby such nefarious and facinorous persons may be exonerated, and those which remain imbettered; and more glorious for them Valiantly to hazzard their Lives for the honor of their Countrey abroad, then ignominiously to endanger themselves by loose living at home. An other reason is drawn from Annibal, that ancient circumspect and courageous Captain, that Warre is to be made with Forrainers, to prevent intestine seditions, which was his State Aphorisme; *Nulla magna civitas diu consistere potest, si foris hostem non habet domi invenit*: No great City can long continue; if it have not an Enemy abroad, it will find one at home, as prevalid bodies are secure from external hurts, yet are they burdned and laden with their own strength, which was the principal cause that Scipio Africanus the younger would not destroy Carthage, least if there were no Warre against the Enemy, it would begin at home; and therefore to avoid some Warre at home, or some eminent and supposed Warre abroad, a Prince may well support a just quarrel in any such Countrey by way of prevention; so as it is no Tyranny, but preventing Policy, to make Warre with an ambitious Enemy; *Non cuius homini contingit*; and this Impostor is incapable of this imperial mystery. Bodin. de rep. l. 4. c. 10.

But mark his malicious inference, *The Warre with Spain serves his Highness to this purpose, and upon no other Justice was it begun at first, or is still continued*; what Pander can be more impudent, as it may be he is to the Whore of Babylon, who favors much of her Conclave, to deny the justness of the undertaking that Warre, which is so plainly and evidently demonstrated in the Declaration of his Highness, in the year 1655. that the prudent and Protestant Princes of Christendom embrace and believe it; and so do all others who are not simply ignorant, or wilfully blinded: but let us hear the Advice of Master Pym, that provident Member of this State to the late King Charles in Parliament, and the reasons by which he would have moved

ved him to the same Warre: The *Spanish* Colonies, saith he, in the *Indies* were weak, distracted, and discontented; and that there were sixty thousand Persons of this Nation in those parts, whose bodies were seasoned to that Climate, which at a very small charge might be set down in some advantageous part of those pleasant Rich and Fruitful Countreys, and easily make him Master of all that Treasury, which not onely fomentes the Warre, but is the support of Popery in all parts of Christendom: what will this Impostor now say? He cannot say it was his *Highness* Plot, but *Mastes Pymms*, against whom, if he open his Jawes, they will instantly be metamorphosed into the Jawe bones of an Asse, by Vote of Parliament; and whereas he makes this Warre his *Highness* pretence to raise monies to replenish his vacant cohorts: What did Queen *Elizabeth* the *Semiramis* and *Sheba* of this Nation? She was the *Spaniards* Potent Antagonist, and never encountered him but she Conquered him; for which she received this boon and benevolence for her Victorious attempts against him; as Master *Pymm* affirmeth, that the greatest part of that charge was made upon the Subjects Purles, and not upon the Queens; though the honor and profit of the same did most accrue to her; this certainly will close this Impostors lips from bawling against the Taxes, and that Sacred and hopeful Warre.

The ninth Character is, *They will seem to favour and provide for good men:* But herein this Impostor mistakes *Aristotle*; for he doth not propound this as a Character of a Tyrant, but of a King, to wit, to favour and preferre good men; and sheweth that by this meanes a Tyrant may lengthen his power, if he square his Rule by the patterne and similitude of the Royal power. And makes as absurd an Application: That is, saith he, *If the Ministers will be Orthodox and flatter; if they will wrest and torture the Scriptures, to prove the Government Lawful, he then likewise will be content to understand Scripture in their favour, and furnish them with Tithes:* For his *Highness* before the acceptance of this Princely dignity, when the fifth Monarchy men in Parliament would have deprived the Clergy of their benefices and Tithes, his *Highness* preserved and confirmed them, according to the Laws of the Land; neither need the Ministers wrest and torture the Scriptures to prove his Government; for they are generally plain in that point, as before hath been demonstrated.

The tenth Character is, *That things which are odious and distastful, they make others Executioners of, and when the people are discontented, they appease them with Sacrificing those Ministers they employ, and do grateful things themselves;* and simply inferreth that he will leave it to his *Highness* Major Generals to ruminate a little on that point; for Princes make others Surrogates, and Executioners of their Judicial Acts; because as *Jethro* said to *Moses*, they are too heavy for them, and not able to performe them themselves alone; not that they be distastful, but expedient it so should be; yet whatsoever they do, or Act, is in the Princes name, and by their Authority; and in this respect is his own Acts: So did his *Highness* by the advice of his Councel employ the Major Generals upon urgent and necessary occasions, to prevent seditions, preserve Peace in the Commonwealth, which are particularly expressed in his *Highness* Declaration, Dated October 1655. which in that regard was his

Highness

Master Pymms
Speech 1642.

Vid. Pym. ibid.

Arist. Pol. 5.
c. 11.

Exod. 18.

Highness own Act; and though it did prove distastful to the people, yet was it not therefore unjust and inconvenient; for *Moses* a most just Prince did enjoin, and prohibit almost all things contrary to the mind, and will of the people; neither were the Major Generals that Action Sacrificed to the censure of the Parliament, nor thereby incurred any penalty, though the Parliament was not pleased for some weighty reasons, to confirm their Authority in the same mode they desired, yet stand they in the same favour with his *Highness*, and without any disparagement in the Parliament; and whereas the deaf *Adder* saith, he never heard of any good his *Highness* hath done himself, it seemeth he never frequenteth our Churches; who upon Thanks-giving days from the Pulpit might have heard Commemorations of his marvellous Victories; and every day might have heard from the Parliament the thankfulness they have acknowledged to God, for preserving his *Highness* in many Battails, and to make him an Instrument for restoring and preserving our peace; and if he had not lost all his Sences, *See the Hum-ble Advice, &c.* he could not but see, hear, taste, smell, and feel, the many gracious blessings which God hath conferred on us since his *Highness* acceptance of the *holden at Parliament. 1655.* Empire: For what greater blessings can accrue to a Commonwealth then peace and plenty? which through Gods blessings we enjoy quietly and abundantly: that we may say with the Poet,

Non est quod copia Major

Hor. l. 2. Scr. 2.

A Jove donari possit.

Or as it is said of *Augustus*, *Nunquam pacis facultas tantaq; omnium bonorum copia affluxit, quantum suppeditavit, &c.* Never so much Liberty of peace and plenty of all good things did abound, as he hath sufficiently Ministred since he took upon him the Reines of the Empire, inso much as if we compare the store and cheapness of our present Commodities, with the Scarceness and dearth of the preterit times, we shall conceive them to overpoise ours to the value of our Taxes. And as he hath lost all his Sences, if he had lost his Tongue too, he had been rid of his worst member.

The tenth Character is, In all things they pretend to be wonderful careful of the publick, to give general accounts of the monies they receive, which they pretend to be levied for the maintenance of the State, and the prosecuting of the Warre.

But in this also he misconstrues *Aristotle*, who doth not deliver this as a Symptome of a Tyrant; but insinuateth that by practising those Precepts are proper to a Prince, his power may endure the longer; and for that he saith, his *Highness* made an excellent Commentary on the same in his Speech to this Parliament, which if he did, his *Highness* therein did performe the part of a debonaire Prince, to give an account to the representative of the people of his charges, & disbursements for the Commonwealth.

The twelfth Character is, All things set aside for Religions uses they set to sale, that whilest these things last, they may expect the lesse of the people; the Cavalier saith, he would interpret this of the *Deanes* and *Chapters* Lands, as if he were not a Cavalier; and if he be not, he is worse: for many Cavaliers have submitted to Gods providence, and this civil Government: but this is *nihil ad rhombum*; for his *Highness* since his power hath main-

rained the Estate of the Church, and advanced Learning; though it may be not in that Superstitious kind, this Impostor would have him.

The thirteenth Character is, *They pretend inspirations from God, and responses from Oracles to Authorize what they do*; but how doth he apply this? His Highness, saith he, hath ever been an *Enthusiast*, as if it were *Enthusiasm* for him to believe and avouch his power to be of God, and of Christ himself; upon whose Shoulders the Government is layed, and not to attribute the contrivance and Production of this mighty Work to himself, or any other person; and not to judge of Gods Revolurions as the products of mens Inventions; and if this be *Enthusiasm*, then all our precedent Kings and Princes have been *Enthusiasts*; who by their Title *Dei gratia* profess to have received and held their Scepter of none but God; and that their power dimaned immediately from him as the first cause, and mediately by second causes from him also, as before hath been asserted: or that it were *Enthusiasm* to pray and beleeve, and to receive returns from God, or to be spoken unto by the Spirit of God, who though he speaks with the written word sometimes, yet according to that of *Job*, God speaketh once, yea twice; for though God doth not speak to men in these dayes by Revelations, or by the voice of a Prophet, yet speaketh he by the secret operation of the Spirit, though it doth not visibly appear tous; as it is said in the same place of *Job*, God speaketh once yea twice, yet man perceiveth it not; and that by prayer we may obtain the returns, and comfort of the Spirit, is clear by the simile of our Saviour. If ye then, saith he, being evil, know how to give good gifts to your Children, how much more shall your Heavenly Father give the Holy Spirit to them that ask him? whosoever therefore doth exclude the Spirit, without whose concurrence or teaching all ordinances are ineffectual, is like to the Disciples of *John*, who had not so much as heard whether there was an Holy Spirit; by which as the Apostle saith, we are all baptized into one Spirit, and made to drink into the same Spirit, and have one and the same Spirit, with the Apostles, though in a different measure.

But *Lingua quo vadit?* his tongue runs at randome, and idely blurreth a nonsensical simile. And as saith he, *Hugh Capet* in taking the Crown, pretended to be admonished to it in a dream by the Insigation of *St. Valtery*, and *St. Richard*; so I believe his Highness will do the same at the Insigation of *St. Henry*, and *St. Richard* his two sonnes; A meer bull, & a nominal conceit without sense or reason; for what correspondence hath my Lord *Richard* with *St. Richard*, or my Lord *Henry* with *St. Valtery*? they being no such superstitious Saints and dreaming Spirits. But what if his Highness at the Insigation of my Lord *Henry*, and my Lord *Richard*, should have taken the Crown, which this Impostor did but dream of? he had taken no more then he hath merited; and he were worse then an Infidel, if he should not provide for his own, and especially for these of his own household. And my Lord *Henry*, and my Lord *Richard* may be *St. Pauls* Saints, that is, Holy men, if they follow his Doctrine by Faith in Christ, and works of Salvation.

The fourteenth Character is, *they love God and Religion*; and in this doth he also rack *Aristotles* words from the sense; for his meaning is that, if a Tyrant

Job 33. 14.

Luke 11. 13.

Acts 19: 2.
1 *Corinth.* 12.
13.

Arist. Pol. 5.
c. 13.

rant

rant will prolong his power, he most imitate a good pious Prince, which he preposterously calleth *Artem Tyrannorum potissimam*, the best Art of Tyrants; for piety and justice are the two pillars of a principality; otherwise by this Character, David a man after Gods own heart might be a Tyrant, and *Numa Pompilius* also, who was the Founder of Religion among the Romans, and for his piety advanced to that Royalty, as his *Highness* likewise partly was to this *supream Magistracy*: for protecting and cleansing true Religion of its superstitions.

And indeed, as he saith, His *Arms were Pious Arms*; and conquered most by those of the Church, Prayers and Tears; for his Prayers and Tears prevailed more with God, than his Arms and Force with Men; and that as he also saith, *Godliness hath bin great gain* to him, for which the Lord hath honoured him with a Temporal principality, as in all probability he will with his Heavenly Kingdom. Thus are this Impostors prophane Scoffs against his *Highness*, piously inverted to his honor, who not onely as he likewise saith Romanlike, but Brittainlike, being a Prince and Priest (for by our Law also *Rex est persona mixta cum Sacerdote*) hath and doth as a Prince protect our Temporal Estates; And as a Priest preserve the Tythes-offerings, & duties of the Church, and not cost us all as he maliciously slandereth him.

No other marks of a Tyrant can be found in *Aristotle*, *Plato*, and his familiar *Machiavel*, saith He, which are suitable to his *Highness* but those two, as he conceiveth: The first to use *Aristotles* own words (which he commonly changeth and wretterh to his own conceit,) is that he would not have him impulsed with anger, to fight and strike; for as *Heraclitus*, it is a difficult matter to resist anger which may cost ones life; which is also a precept for a Prince, by the practice of which a Tyrant may the longer subsist; For as St. *Ambrose* saith, *Dum iusto amplius irascimur, & volumus aliena corrigere peccata graviora committimus*, when we are angry above measure, and would restrain and repress offences, wee commit greater. And therefore *Theodosius*, after the furious slaughter of the *Thessalonians*, ordained that Sentences of Princes should be deferred for thirty dayes from execution: yet *Aristotle* saith in another place, Anger is a virtue in a Valiant man, and spurs him on to dangerous attempts, *Vires injicit ira*, and by consequence in a General and Prince; And therefore as *Solomon* saith, We ought not to provoke a King to anger, because the anger of a King is like the roaring of a Lyon.

And therefore as this Impostor saith, seeing his *Highness* is naturally cholerick, and will call men Rogues, and go to Cuffs, let him beware he falls not into his *Highness* clutches, least he handle him like a Rogue; and serve him as *Agamemnon* did *Thersites* a bawling Captain of the Grecians, who for his impudent railing slew him with a cuff of his fist.

And the last is, that a Tyrant should not be really good, nor absolutely bad, but halfe one, and half together; but herein also he falsifieth *Aristotle*, whose words are, that he so fashion himself *ἡ τοὶ καλὸς πρὸς ἀσπίδα*, that he either have a good minde to virtue, or else that he be half good, and not altogether vicious; and doth nor say that he would have him really good, but that he would have him like a Prince, be as good as possibly may

See the humble advice of
Parl. 1656.

1 Kings I. 11.

1.
Justin. l. 1.

Esay 45. 1.

bc. And whereas he saith that this half good is too great a proportion for his Highness and more then his temper will bear ; It is onely his saying, as if his *Ipse dixit* like the Pope his Holy Fathers Sentence were definitive, and to be rested in ; though the contrary be humbly acknowledged by the Parliament, which is of more authority then his *finxit* or the Popes *dixit*.

In conclusion he supposeth, That if his Highness be not a Tyrant, then there is no description of a Tyrant. And because he hath put an if to it, he hath invited me to shew him that some have affirmed, there are no Tyrants in *Titulo*, and others no Tyrants in *Exercitio*, and divers no Tyrants at all ; according to his Hypothesis. And for that there are no Tyrants in *Titulo*, some alleadge the example of *Jeroboam*, who invaded the right of *Rehobean* ; yet was he by Holy Writ neither reputed an Usurper or Tyrant : but on the contrary, that the ten Tribes were given him by God. And so say they, *Cyrus* invaded the Kingdome of *Harpagus*, to which he had no Title though the Sonne of his Daughter ; and did bear him out of his Kingdome, yet is he by the Prophet *Esay* called the Lords anointed.

Jer. 15. 9. 24.

17. Baruch 1.

Others to prove there are no Tyrants in *Exercitio*, produce the example of *Nebuchadnezzar*, whose cruelty and Tyranny in Sacred Writ is generally expressed, but in especial for erecting his golden Image, and commanding that they who refused to worship it, should be cast into a fiery Furnace, by which he would have enforced and compelled the consciences of men to his prophane superstitions, which is the most execrable Tyranny, & *Carnificina Animorum*, a Torture and Torment of mens Souls ; yet God calleth him his Servant, and the Prophet *Jeremy* and *Baruch* did write to the Jews to pray for the life of him, and *Baltazar* his Son ; And further say that God stirreth up the spirits of wicked Princes to do his will, and that if they abuse their authority, they are to be judged by God onely, who is onely their Superiour ; yet say they, God reserveth them to the forest Tryal ; Horribly and suddenly will the Lord appear unto them, and an hard Judgement shall they have.

In Gen. 10.

47. 19. & 19.

And those who maintaine there are no Tyrants at all, argue from the name of a Tyrant, which as *Musculus* saith, signifieth nothing but as a Monarch, a Prince, and a King, though of late it hath been taken in the worse senses ; which though it be frequent in every mans mouth, and our old English Translation useth sometimes the word Tyrant, yet the Authors of the New Translation have not once used the words, because they find no Hebrew word in the Scripture to signifie a Tyrant. Neither do *Aristotle*, *Bodin*, or Sir *Walter Rawleigh* agree in the distinction or description of Tyranny ; and therefore question whether any man can describe what a Tyrant is ; and then who can tell who was ever a Tyrant according to that description ?

Pardon me for this digression ; for my intention is not to assert any of these opinions, but onely to give this Impostor a glance, and a touch for his if ; who will be of any opinions which may serve his turn. But now, this Impostor shall give me leave to rowl up the conclusion, which things seeing

Seeing they are so, It is *certo certum* and not lyable to exception, that according to his distinction and description of a Tyrant, His *Highness* without question is no Tyrant, in *Titulo* nor in *Exertio*, neither in Title nor in Practice; and that he is a Lawful and Legitimate Prince, ordained by God, warranted by the Sword, and approved by the People; And *triplex nodus non facile est solvendus*, A triple wreath is not easily loosened. And this is the prime and peremptory question upon which the other two depend, which being desunct, the other two dye with it. For to refigure your memories, The first Question was whether his *Highness* was a Tyrant or no? upon which it is resolved upon the Votes of the Scripture, Reason and Parliament, that he is no Tyrant. The second Question is, If he be a Tyrant, whether it be lawful for any private person to kill him? Thirdly, If it be lawful, whether it is likely to prove profitable or noxious to the Commonwealth? So as it is as cleer as the Day-star, that the first question, which is the Foundation of the other, being resolved against him, the other two which are built upon it, will of themselves fall to the ground; for *Sublato Fundamento corrui Opus*, The Foundationing failing the Work falleth.

And now me thinks I hear my *Genius* calling on me, *Heus tu, manum de tabula*, Hark, Sir, Stay your Hand, and spare your Pen, least it may seem over-long and troublesome. And so I would, were it not to be feared that some of the Impostors swearing *Auditors* will be made by his Enchantments *Furare in verba Magistri*, to swear what he saith; or through simplicity, or prejudice will not, or cannot conceive, or weigh the premises in the golden Scales of true Judgement, and distinguish real Demonstrations from glistring probabilities: Whereby they may be seduced to imagine his *Highness* to be one of his Tyrants, and his Ears to be Horns, and his Justice Tyranny: And consequently, to be lawful for every person, to do Justice upon him without solemnity, as he saith, that is to kill him, according to his seditious inference. For what reverence and obedience will be given to a Prince (without which what is his power?) when the people are perswaded, that under pretences and colour of Tyranny every private Subject may vindicate his own quarrel, and be a Judge and Executioner of his Right and Actions? Which preposterous inconveniences to prevent, I thought it necessary to continue this discourse, and further to proceed in the refutation of his strange absurdities; and according to my design of brevity, will succinctly consider his material passages, omitting his superfluous Tautologies.

First Therefore he proposeth, that *Supream Magistrates* who degenerate into Tyrants, are not to be censured by private persons; and that none of sober sense do make them Judges of their actions: But he findes none have been such great enemies to *Common Justice*, or to the Liberty of mankind to give any kind of indemnity to an Usurper, who can pretend no title, but that of being the stronger; nor to have the peoples obedience upon any other Obligation then that of necessity, or fear. Wherin, by the way, I cannot supersede Sir Edward Coke's Rule of State: *Sunt quos ducit amor, plures sunt tamen quos corrigit timor*, Some are drawn to be obedience by the cords of love, but more are forced to it by the scourge of

Cic. Epist. ad Att.

Cooks Coma
P. 392.

fear;

fear; which the Magistrate could not do, unless he were the stronger, and had the power of the Sword. But how unfitly do these expressions correspond with his Highness Title, which hath been before discussed and resolved?

Perseus Sat. 4.

Sambucam citius caloni aptaveris alto.

A Fidle you shall sooner fit to a Souldiers side.

But to examine his Reasons, why a Tyrants case is particular; and why, in that every man hath that vengeance given him, which in other cases is reserved to God and the Magistrate; which he saith, cannot be obscure, if we rightly consider what a Tyrant is, what his crimes are, and in what state he standeth with the Commonwealth, and with every member of it.

Just. l. 1. c. 1. 2.

And first, he assemeth that *Laws are the Nerves or Sinewes of a Society, or Commonwealth, without which they must necessarily dissolve, and fall asunder.* Those therefore that submit not to the Laws, but make their Will and Lust a Law, and secure themselves against the ordinary course of Justice as Tyrants do, are not to be reputed in the Society of mankind, nor to have benefit from Humane Society, nor protection from Law; wherein he seemeth, as he pretended, to argue from the definition of a Tyrant, which is, as he supposeth, that he that submitteth himself to no Law, but secureth himself against the ordinary course of Justice, is a Tyrant; which is an imperfect definition: For in the beginning of Societies, there were no written Laws; but Princes being advanced to the height of Majesty for their Valour and Wisdom, *Arbitria Principum pro Legibus erant,* The Decrees of Princes stood for Laws, as *Justine* saith of the Assyrians, and of the Athenians; *Libido Regum pro Legibus erant,* the Will and Lust of Princes were for Law. If then all Princes were Tyrants, which submit themselves to no Law, but made their Will a Law, all the Grecian Princes before the Laws of *Draco*, *Solon*, and *Lycurgus*; and all the Roman Kings before the Laws of *Tullius Hostilius*, were Tyrants; and so also was *Moses*, whose licet was a Law before the Law was given him by God on the Mount: His definition therefore is defective, because not adequate to the thing defined, and generally the Nonsubmission to written Laws, which he speaks of, doth not make a Tyrant; For a good Prince without Laws may Rule the People as well as with Laws. And *Aristotle* makes it dubitable, and disputable, whether it is better to be Ruled by a good Law, or a good Man? And whereas he maketh *Aristotle* to say that Tyranny is against the Law of Nature: he doth not mean, contrary to the Law of Humane Society, by which Humane Nature is preserved, as the Impostor construerh it; for Humane Nature hath, and may be preserved without the Law of Humane Society, and that by the Law of Nature: According to which as *Sir John Davis*, If we all lived of Nature, we should need few Laws, and fewer Lawyers, which Princes, as Gods Subjects, are bound to observe, as well as their Subjects them; and which as *Bodin*, is, *Regina utrisque Imperans*, A Queen commanding them both: And a Lestian Rule flexible every way, according to the various contingencies and vicissitude of things: Which therefore by some is preferred before written Laws, because the inconstancy of the people, and change of things do often require new

Laws

Arist. Polit. l. 3. c. 12.

Arist. ibidem.

In the Preface to his Reports.

Bod. Poc.

Laws, which the Law-givers cannot foresee, or provide for, which Defects are supplied by the Law of Nature in a good Prince. Therefore such Princes as do not guide themselves, and rule their Subjects according to the Law of Nature, as *Aristotle* saith, are Tyrants, because they rule contrary to the Law of Nature; And as in another place, *Rex si virtuosus* Arist. Eth. l. 3. c. 10. *fit, Tyrannus efficitur*, A King, if he be virtuous, becomes a Tyrant, for vices are contrarie to the Law of Nature, and right Reason: Such virtuous Princes were *Sardanapalus*, and *Astyages*: And therefore for their vices by *Arbastes* and *Cyrus* expelled their Kingdomes. But grant his Major, that those Rulers who subject themselves to no Humane Law but their will, and his lust is a Law, by which he governeth himself and others, are no Magistrates, but Tyrants: How doth this reflect on his Highness, who hath submitted himself to the Laws of this Nation, and hath a principal care to put them in Execution? *Iustissimus Unus*

Qui fuit ex Anglis, Et servantissimus equi,

Virgil. Æne. 2

As before hath been shewen: Besides in cases of present importunity, or imminent necessity, he exerciseth not an absolute power, but is guided by his Council, who have as absolute a negative voice in the Intervalls of Parliament, as the Parliament had whilest it was sitting. Then he falls fowl on the crimes and effects of Tyranny: A Commonwealth, saith he, falling into a Tyranny absolutely, loseth that name: For *Servorum nulla est Civitas*, saith *Aristotle*, and *Grotius*, *Sed magna familia, Where all are Slaves*, it is not a City: for as he saith, there is one Government for the utility of the Ruler, and another for the commodity of the Ruled; this hath place among the free people, the other between Lords and Servants, and where the people is bridled by such a Government, is not a City, but a great Family; And he inferres there is no longer King and People, Parliament and People, but these names are changed (at least their natures into Masters and Servants, Lords and Slaves. But certainly this Impostor hath learned the Art of Forgetfulness, not to forget injuries, as *Themistocles* and *Cesar* did, but benefits and good turns as *Brutus*, whom though *Cesar* saved at the *Pharsalian* battail, yet was he the chiefest Conspirator against him; Even so doth he brand his Highness, with the enslaving others, who freed him from slavery; and aims more at the utility of the Commonwealth then his own, and will not remember the gentle and gracious protestation his Highness publicly and solemnly made in Parliament, that he did not assume to himself dominion over them, but resolved to be a Fellow-servant with them: And so indeed he is; for in his Protection he serveth us, and we in our obedience serve him: unlesse he wil make obedience slavery, which is *Regis & Legis essentia*, the being & essence of a Prince and Law. And of the two, his service and burden is the greater; and as *Tiberius* said, *Onerosior servitus*, The heavier service. But observe his sottish inference: And in truth, saith he, we are all members of *Whitehal*, and when our Master pleaseth, he may send for us thither, and there bore through our ears at the *Dore-posts*; For for whom did his Highness send for thither, but for such refractory and turbulent spirits as his is, and there by godly and moral instructions did labour to bore them through their consciences.

Arist. Pol. c. 8.
Grotius de Jur. bel. l. 3. c. 8. §. 2.

See his Highness Speech 12 of Septemb. 1654.

consciencies and reclaim them, or otherwise, by custody, to secure them to prevent future combustions in the Commonwealth? And let this Impostor take heed that his Highness find not his hole wherein he lurketh, and send for him to *Westminster-Hall*, and there cause him to be mounted on the top of a pillory, and his ears and tongue too to be bored through, and his forehead stigmatized for his impudent and eminent scandals. Next he sheweth the condition wherein a Tyrant standeth with the Commonwealth: to wit, that a Tyrant is no part of the City, nor member of the Commonwealth, and therefore in all reason to be reckoned in the number of those savage beasts that fall not within any other hardie, that have no other defence then their own strength, making a prey of all that is weaker, and by the same reason being a prey to all, are stronger then himself: But if we grant that a Tyrant is no part or Member of a Commonwealth (which I can neither finde in *Aristotle* or *Grotius*, whom he quoteth in his margin,) yet is he not for that reason a Tyrant; for injury should be offered to a Prince, saith *Aristotle*, who excelleth others in virtue and valour, to esteem him apart of the City & Commonwealth, seeing there is *Impar in eis virtus*, Unequal virtue in them; for such a man ought to be esteemed a God among men; And so also is there in Tyrants, who as he also saith, for their Virtue and Valour were at the first made Tribunes, or Leaders of the people: And though they be Eccentricque and above the other Sphære and Orbe, yet do they like *Primum Mobile*, Rowl about, and sway all the Inferiour Orbes with their Motion and rule. And therefore the comparison of Tyrants with wild beasts, which he borrowed of his Master *Mariana* is incongruous and absurd, because there is not the same Reason of both, *& parium eadem est ratio*; for among wild beasts there is no rule, or government, but promiscuous confusion and dilanation, whereas in Tyranny there is a Form of Rule and Government, though not so just and equal as it ought to be: And for that Reason, saith *Tacitus*, *Præstat esse sub ma'lo Principe, quam sub nullo*, It is to be better under an evil Prince then none, and a Tyranny is better then an Anarchy; for where there is no Government at all, men like brute beasts indeed by wounds and slaughters, snatch and catch what they can to themselves. And for the same infirm Reason, he in the ensuing page assevereth, that no Society and no Faith is to be kept wit Tyrants, nor no Religion or Oath to be observed, because as *Seneca* saith, that whatsoever was of Mutual Obligation between us, his destroying the Lawes of Humane Society hath dissolved; but I wonder much that he who seems so well versed in *Grotius*, should not observe that he utterly rejecteth that opinion of *Seneca*, and also of *Cicero's*, which in that Place he also citeth, *Nulla nobis Societas cum Tyrannis, sed summa potius distractio*, That no Society is to be had by us, but rather extream distraction. For saith he, Tyrants have had Society with the people, and by compacts and agreements with them, established their power, by granting them Liberty: And which is more to be admired, the Impostor seemeth to countenance the Error of *Michael Ephesus*, which as *Grotius* saith, proceeded from that Fountain, That Adultery is not committed with a Tyrants Wife, and graceth it it with a jeer, if she have no other guard for her chastity, but age and deformity:

L.1. Pol. c.9.

De Regis Just.
l.1. cap.5.

Lib.1. Hist.

Kek. Pol. fol. 21

pag.9.

Grotius lib.3.
cap.2.
L.5. Tuscan.

ty: But he will finde, that if his Wife have not the guard for her chastity of age and deformity, a Tyrant may with lesse offence, and danger commit Adultery with his Wife, if he have any.

In the next place he produceth another argument of the same nature; that a Tyrant making himself above all Law, and defending his injustice by a strength which no power of Magistrates is able to oppose, becomes above all other punishments, above all other Justice, then that he receives from the stroke of some generous hand. And by the Law of Nature, where no Justice is to be had, every one may be his own Magistrate, and do justice for himself: which he learned of his Master Suarez, who giveth the same reason for the lawfulness of every private mans authority in such a case. *Quia, faith Suarez Resp. ad Apologiam pro Jur. fidel. Fol. 415.* he, per Naturalem Legem Demi dedit unicuique potestatem defendendi se. Because God by the Law of Nature, hath given power to every man to defend himself, where no remedy is to be had against him from their Superior.

But herein is this Impostor catched in his own ginne, by falling from his first principle, which was that it is Lawful for every private person to kill Usurpers or Tyrants in Titulo; but not supream Magistrates who degenerate into Tyrants, and be Tyrants in exercitio; whereas by this reason every private person may as well kill the one as the other; for a Tyrant in exercitio is also above Law, and defendeth his injustice by a strength which no power of inferiour Magistrates is able to oppose; and by his successive Title becomes more potent and irresistible in his Acts of Injustice; for no Injustice can be had against him also for his Compulsory, Contributions, Loanes, Benevolences, Assessements, Taxes, or other the like Impositions; and may as well be stiled *magna Latrocinia*, great Robberies as well as the other. In which Argument this Impostor seemeth to have lost his sober senses; for he saith, None of sober sense makes private persons Judges of the Actions of those that degenerate into Tyrants, which by this Argument he doth.

And further in this case the Impostor saith, that every one may be his own Judge, and do Justice for himself; for the question is not whether a private man may take upon him to be his own Judge, whether a Magistrate doth him wrong or not; for that is denied of Grotius and Bodin. *Ne occasio sit majoris tumultus faciendi*; least it should be an occasion of greater tumults: And therefore Cicero compares such resistors of Magistrates to the Titans, *Qui ut illi Caestibus, adversantur Magistratibus*; who oppose Magistrates as they did the gods. But the question is, Whether every private person may take upon him to be his Judge, in punishing an usurper that hath no just Title to Magistracy, which this Impostor resolveth in the affirmative. In which he decedeth from the Institutions of his Masters, Mariana and Suarez: The one averring, that if the Tyranny be doubtful and not Manifest, no man ought to offer him force; & how this doubt shall be resolved the other sheweth, *Neque enim in privato cujusquam arbitrio ponimus, &c.* We place it not in the Judgement of every private person nor many, unless the publick voice of the people be assenting, and learned and grave men be called to Council, least, saith he, any one should conspire against the life of the

Prince, as if he were a Tyrant : And so also saith *Grotius*, *maxime autem in re controversa iudicium sibi privatum sumere non debet* : In this case above all other, a private man ought not to take to himself Judgement.

Grotius lib. 1. c. 4.

And yet this Impostor would rather that opinion on *Grotius*, which his grave Fathers *Mariana* and *Suarez* rejected, and make him like the *Satyre* in *Æsop*, *iisdem buccis calorem & frigus eflare*; breath contraries, to supply his purpose; for *Grotius* doth not say, where no Justice is to be had, every one may be his own Magistrate, and do Justice for himself; for be-

Molin. de In-stit. Fo. 1. diff. 100.

fore he said the contrary, and so doth *Molina* whom *Grotius* cited in that place, to wit, that no private man ought to take vengeance for an injury offered him, *eo quid unusquisque possit facile occurrere sua in causa*, because

Grotius de sol. l. 1. c. 3.

every one may be easily blinded in his own case : And therefore it is written, Vengeance is mines; that is, God's, and his Magistrates; whom (though we suppose them to do us injustice) we ought not to resist. And in that *Grotius* saith, *ubi cesset iudicium*, where Justice ceaseth, the Law of nature sometimes now hath place. He doth not speak of injustice done by Magistrates in their place of Justice to private persons, but of injuries and wronges that happen between private persons, which appeareth by his subsequent distinctions; for Justice saith he, doth cease *momentanè*, for the present moment, where Justice cannot be executed without certain danger and damage : In which fence that of this Impostor is to be taken, that the Law of God permitteth every man to kill a thief, if he take him breaking open his House in the night, because he cannot bring him to Justice without certain peril or losse : Or else saith *Grotius*, Justice doth cease *continuè*, continually; which is either by Right, as in Wildernesses and Islands, where there is no City and Government; or by Fact if the Subjects will not hearken to the Judge, as Pirates, Robbers, Mosse-troopers, or such notorious Malefactors, who are no part of a City, but condemn Government;

Grotius l. 3. c. 19.

and therefore as *Grotius* saith, may be punished by every man, if we respect the Law of nature; or else saith he, When the Judge doth refuse to do Ju-

Molin. ibidem,

stice; as if saith *Molin*, in one Kingdom one City assaulteth another, and doth grievous injury to it; and the King (being requested) neglecteth, or dareth not to vindicate the offered injuries. In this case that City may not only defend it self, but also make Warre with the other, and put the Malefactors to the Sword : But cautiously addeth, *Non tamen auderem facultatem hanc multum extendere*; yet I dare not much extend this power no further then between City and City; and not to give private persons the power of Magistracy; and that where no Justice is to be had, to do Justice for themselves; no, nor between themselves, unlesse in the causes above mentioned; and therefore *à fortiori* not against a Magistrate, as this Impostor conceiveth; which opinion both *Molin* and *Grotius* utterly reject.

And in that he saith, *That it is contrary to the Law of nature, that when the Law can have no place, men shall be forbidden to repel force by force*; but to be left without all defence and remedy against injury : God left not the Slave without a Remedy against the cruel Master, and permitted every man to kill a Thief breaking upon his House in the night, because it may be supposed he could not otherwise bring him to Justice; and shall a Free People have no redress against

against an Imperious Master, nor an oppressing Tyrant? Wherein this Impostor hath forgot the old Wife Lesson,

*Fuit hæc sapientia quondam
Publica privatis secernere, sacra profanis.*

To distinguish between publike and private things, Sacred and Profane; for private persons, upon any pretence of Injustice, may not be their own Judges, and make resistance against the publike Magistrate, or the Supreme power, for they are publike and Sacred persons, Sanctified by the Ordinance of God: Yea, though they be unjust and wicked, yet is there power and Authority the Ordinance of God; and therefore Christ told Pilate, that the power he had was given him from above; and as *Jehoshaphat* said to his Rulers, They execute not the Judgement of man, but of the Lord. John 9. 11.

The same answer may be returned to that he saith, What can be more absurd in nature, and contrary to all common sense to call him Thief, and kill him that comes alone, or with a few to rob me, or to call him *Proteffor*, and obey him who robs me with Regiments and Troopes, as if to rove with two or three Ships were to be a Pirate, but with fifty an Admirall; as if the number of Adherents onely, nor the the cause, did make the difference between a Robber and a *Proteffor*: But it is not the number of Adherents puts the difference between them, but the cause; for the *Proteffor* as the publike and Supreme Magistrate, by the Advice of his Council, or Parliament, for the good of the publike may impose Assessments and Taxes on the people whom as Gods Vice-gerent, we are all obliged to obey: but the others in contempt of publike Authority, as private persons Robbe, Pillage, and Plunder their Brothers and Neighbours: Otherwise the Pirates answer to *Alexander* had been pertinent, who being demanded of him by what Right they did infest the Sea, and spoil Passengers; said, by the same Right that he with many did Robbe the whole World. Whereas the Legal and publike Authority of the one did make the difference of Right and Robbery between them. And as concerning the consent of the people to Taxes, either made expressly by themselves, or virtually in Parliament, satisfaction therein hath before abundantly been given. And if this Impostor will have other Remedy and satisfaction, let him hearken to *Grotius*, who will further Instruct him, and tell him that Magistrates Judge private men; Princes Magistrates, and God Princes, of whom he hath a peculiar care, who will vindicate their offences, if he Judge it needful, or bear with them *in pœnam & explorationem populi*; for the punishment or Trial of the peoples; or else as others say, they may be questioned of the Superior Magistrates, by the Supreme Law of the peoples safety. And every private mans defence; as he would have it is altogether in this cause restrained by the Law of God and man, since Magistrates and publike Courts of Justice have been constituted. Grotius l. i. c. 3.

These are his reasons; in which he saith, He should be much lesse confident, unless they were seconded by the Examples that are set us by the greatest and most Virtuous, and the opinions of the greatest and wisest Men, by whom, saith he, if I am deceived, I shall however have the excuse

to have been drawn into that error by them: So that notwithstanding his former Thraſonical vaunts; he begins now to doubt that he is deceived, and drawn into an error: *Et habemus penè confidentem reum*; and not without cause; for Examples and Authorities, as the Logicians say, are the weakest Weapons brandished in our humane Academy who give it for a Rule, *Locus ab Autoritate est infirmissimus*: An Argument from Authority is the weakest: And especially his which are either wrested, or for the most part misconstrued. But to examine them in order; in the front he placeth *Grotius* as his chiefest Champion, whom he mistaketh and dismembreth as he did before. For *Grotius*, saith he, saith, That an Usurper that onely by force possesseth himself of Government, and by force onely keeps it, is yet in the State of Warre with every man; and therefore every thing is Lawful against him, is Lawful against an open Enemy, whom every private man hath Right to kill.

Whereas *Grotius* saith, If by an unjust Warre any one by force snatcheth unto himself the Empire, and no agreement and consent followeth, nor longe Possession, but by force retaineth it, the Law of Warre seemes to remain; and that what is Lawful against an Enemy, is Lawful against him, who by Right may be killed of every private man; and omitteth the Limitations (to wit) an unjust Warre, consent of the people, and possession, as not conducent to his design, because they jointly concur to the establishment of his *Highness* just Title; for as hath before been declared, his *Highness* may lay clame to this Government by the just Title of Warre, and also by the consent of the people; the onely question may be, is concerning the possession, which as I conceive, is rightly determined by Learned Master *Asham*. That place, saith he, is Judged to be in full possession, when it is so held, that another power as great as that that holds it, cannot approach it without great danger; or that there is no probable hope to recover it, which is sufficient saith he, to challenge our obedience; & which as *Grotius* saith, Every private man ought to follow, as our Saviour Christ did; who though he was the King of Kings, yet because he had undertaken the condition of a private person, did willingly pay Tribute to *Cæsar*, because the monies bore his image and Superſcription, that is, because he was in possession of the Empire.

All his other Authorities were deduced from the Laws and practises of those Citizens, who lived and Ruled in meer Commonwealths, to whom the Government of one was always odious: And as *Aristotle* of πολλοὶ ἀνδρῶν κράτος τῶν οἰκονομῶν, most people are evil Judges in their own affairs; and as this Impostor, who like the Devil sometimes speaks truth; it is contrary to the Laws of God and nature, that men who are partial to themselves should be their own Judges: And therefore *Xenophon*, *Solon*, *Plato*, and *Cicero* are not competent Judges in this case, because it concerned the continuance of their own State and dignity. And though in their Commonwealth they erected statues in their Temples to Tyrannicides, and Deified those private persons who murdered Tyrants; yet in Monarchical Governments, none such escaped Capital censure, whose Examples because they are divulged in most Histories, I willingly supersede, and will

Boeth. Hial.

Fol. 99.

Arist. Polit. l. 1.

c. 3.

Fol. 8.

will onely name two, which seem more rare and memorable: As that of *David*, who caused the Messenger to be slain, that upon Request & for pitty had lent his hand to help forward the voluntary death of *Saul*; and another of *Domitian*, who did put to death *Epaphroditus*, *Neros* Libertine, because he helped *Nero* in love to kill him; which may seem to be *summum Jus*, and in equity considerable, as void of a malicious Intention, which is the forme of Murder, and partly excuseth or mitigareth ordinary homicides but that the parricide of Supreme Magistrates is of higher consequence, and abominable by the Law of God and Law of man, that who-soever shall brew his hands in their blood, though by consent and voide of malice, shall in *Publicum Exemplum* without hope of mercy receive the highest punishment.

From his authorities, he descendeth to the examples of such lawlesse Murderers, which as his Master *Mariana*, are not numerous. *Ex tanto numero Tyrannorum* saith he, *qui anti quis temporibus extiterunt, paucos quosdam numerare licet ferro suorum perisse*. Out of the great company of Tyrants have been in ancient times, few can be numbred who perished by the sword of their own people. De Inst. Reg. l. 1. c. 6.

And as in *Spain*, he saith but two, so may we say of *England*, so faithful and loyal commonly have the people been to their Supreme Magistrate. And this Impostor instanteth but in one, which in his judgement seems *instar omnium*, though indeed little as *Rhombum*: to wit the slaughter of *Cæsar*, which his *Pater Patriæ* *Cicero* extols as an act most generous, and worthy of eternal memorie. But *Tacitus*, more truly, *cum occisus fuit Cæsar, aliis turpissimum, aliis pulcherrimum facinus videretur*: when *Cæsar* was slain, it seemed to some a most fowl, to others a most glorious act.

Scinditur incertum Stadia in contrari vulgus.

Li. I. Ann.

For if we consider that according to the judgement of the sager sort, it will appear a barbarous murder and obnoxious to the state of *Rome* as then it stood, and that by the judgement of *Tacitus* himself; *Quia*, saith he, *Nullum aliud discordantis Patriæ remedium fuit*. Because there was no other remedy to cure and unite that discordant Nation, then by the Government of one. And for that reason as *Plutarch* relateth, was *Cæsar* created *Perpetuus Dictator*, by the Senate and People, hoping thereby saith he, *Ab intestinis Discordiis respirare*, To breath and rest from their Inestine Discords, so as in the regard of the necessity and utility (which as they were the cause of our consociation, so are they of our preservation) *Cæsar's* acceptance of the Empire was a necessary and a commodious Act: which *Cicero* himself, who souly trampled on *Cæsars* allies, did upon mature deliberation acknowledge. *Quod is esset status Reipublicæ, quod eam unius Deo.* Plut. Vit. Cæs. sar.

Consilio & cura gubernari necesse est, That such was the State of the Commonwealth, that that of necessity must be governed by the Council and care of one; And *Necessitas est Lex temporis*, Necessity is the Law of the times, which we are forced to obey, and against which as one saith, *Ne dii quidem pugnare possint*. And therefore the Senate and People of *Rome* after the Conquest of *Pompey* as *Appian* saith, did not onely create *Cæsar* perpetual Li. de Nat. de Bello Civili. tual

ruel Dictator, but with the Dictatorship gave him the perpetual Consulship, to the Consulship the Title of Emperour, and the surname of *Pater Patriæ*, whereof *Cicero* was one. Neither could the Senate plead any excuse for *Caesar's* murder, whom they themselves acknowledged Supreme: But condemned it as an horrid parricide. Onely the prevaricator *Cicero* who (as this Impostor saith) if he was not conscious of that design, yet he affected the honour to be thought so, as appeareth by his Philippick and invective Orations, for which he justly paid the milt of his head which forged them, and his hands which pressed them, and were both fastned to the *Rostrum* wherein he made them: which may be the Impostors penalty in the end for his prevaricative and invective pamphlet, and that *jure*, who is as faithless and calumnious as the other: Insomuch as if *Caesar* was an Invador, as this Impostor conceiveth: yet was he rightly fixed and settled in the Majesty of the Empire by the Decree of the Senate, and consent of the people; who were so enraged at his death that they unanimously flocked to the houses of the Parricides to punish and tear them in pieces.

But I will conclude this Question with the determination of *Tholosanus*; *Exempla Tyrannicidarum*, saith he, *non hic sunt sequenda*. The Examples of Tyrannicides are not here to be followed, which happened in a free Commonwealth which had no King, nor did not subject themselves to him, or that those things which were done rashly be measured by the success: which this Impostor seems to acknowledge in that, he saith, *That now he will conclude with authorities are much more authentick, and Examples we may much more safely imitate, as if it were not very safe to imitate the former*. And now *Ventum est ad triarios*, He is driven to his last refuge: The ranks of his many battails are broken, and his humane arguments routed and forced to his last reserve, and to bring up his triaries and divine authorities into the field, on which he chiefly relies; but they like a staff of reed will fail him, and though *primo impetu*, at the first dispute they seem more then men, yet at the second they will prove *Minus Faminarum*, Weaker then Women, and soon overcome: But to encounter them in the same order they are ranked. The first is drawn from the Law of God, which decreeth certain death to that man that doth not hearken, as he saith, or submit himself to the Judge, or the Decision of Justice, and thence inferreth, that neither that, nor any other Law is in force, if there were no way to put it in execution, and against a Tyrant processe, and citation have no place, neither have any formal remedies against him, and therefore includes that every man may kill him. But he rowls the same stone he did be ore, and the same answer will satisfie both. That a Tyrant is the Minister of God, whom any private man ought not to resist, but is to be left to the Judgement of the Lord, who will either take vengeance on him, or permit him for our punishment or trial to remain.

Regum timendum in propriis greges,

Reges in ipsos Imperium est Jovis.

The next is taken from the example of *Moses*; every English man, saith he, hath more cause, and as much call as *Moses* had to slay the Egyptian. But as he hath no cause, as hath been manifested, so hath he no such call; for
Moses

Plat. Vit. Caesaris.

Syntag. l. 6. c. 20.

Deut. 17. Ch. 12. Ver.

Jean. Sarisb. de nug. Cur. l. 8 c. 20.

Horat.

Moses from the inspiration of God, obtained his authority, who moved him to this slaughter, that he might begin to shew himself an avenger of his people, and to kill the publick Enemy, which is the interpretation of the best Commentators according to the harmony of the Scriptures. For *Stephen* saith, that *Moses* seeing one of his Brethren suffering wrong, defended him and smote the Egyptian who oppressed him, supposing his Brethren would have understood that God by his hand would have delivered them, but they understood not; Though *Moses* did know that he was ordained a Captain from God to vindicate the Hebrews, and that he should prepare himself by this slaughter to that charge; And though he did fly out of Egypt, as the Apostle saith, by Faith *Moses* forsook Egypt, and feared not the fierceness of the King, for he endured as he that saw him which is invisible, that is, he did it not for fear, but believed in his time to deliver *Israel*. What imprudence or impudence is it therefore in this Impostor to aver that *Moses* had no other call we read of, but the necessity his Brother stood in of his help, when the contrary is cleared by the Scriptures, that he had his call in this action, immediately from God, who by the smiting of the Egyptian was prepared and animated to the deliverance of *Israel*.

*Acts 7 Chapt.
24, 25. Ver.*

Heb. 11. 27.

The example of *Ehud* followeth which both his Masters *Mariana* and *Suarez* principally urge, that he as a private person killed *Eglon* the King of the Moabites, to free the *Israelites* from his Tyranny. But as *Grotius* saith, Sacred authority doth plainly justify that he was raised by God, and by his special command to avenge the Tyranny of the *Israelites*: And that God also by what Ministers he pleased, did execute his Judgements against other Kings, as he did by *Jehu* against *Jeoram*: neither doth it appear, saith he, that the King of the Moabites had no right to rule by compact, which seemeth probable by the whole eighteen years time he ruled them, that some consent might passe between them.

*Suarez in A-
pol. pro Jur.
fidel.
Mor. de Rege
Inst. l. 1. c. 6.
Grotius, l. 1 c. 4.*

And whereas he saith, That a Tyrant is not a Devil to be cast out by prayer and Fasting, but by a Dagger of a cubit long; yet was it the onely and pious meanes the people of God used to free themselves from the Tyranny and Slavery of *Nebuchadnezzar* and other Princes, which at the last they obtained without the helpe of a Dagger; but he had rather run to the Devil for a Dagger to execute his revenge, then fly to God by prayer for his deliverance. This same answer also may be given to his Example of *Sampson*: for it is perspicuous by his miraculous acts that he was raised by God, to begin to deliver *Israel* out of the hands of the *Philistines*, and that whatsoever he acted was by the Spirit of God. Besides as *Peter Martyr* saith, he was a publick Magistrate constituted of God, and that as a Magistrate he did punish and plague the *Philistines*; and therefore siled their Enemy. And so is it said, ver. 20. That he judged *Israel* in the dayes of the *Philistines* twenty years. For as the same Author, *Nemini privato licet ad hunc modum injurias prosequi*, It is not lawfull for a private man in this manner to prosecute injuries, and not as a private man to do unto them as they did unto him, as this Impostor saith, and conceiveth. And in that the Text saith, that the men of *Judah* should say, Knowest thou not that the *Philistines*

Judg. 10.

*In eundem le-
cum.*

are

are Rulers over us : It is answered by the Glosse on that place, that it was their grosse ignorance that they judged Gods great benefits to be a plague unto them, which they understood nor, though he did, and therefore suffered he them to bind him, because he knew that God would deliver him. And therefore this Impostor for his ignorant collection in this place, meriteth to have his brains brayed in a Morter with *Sampson's* Jawbone of an Asse, that he may be cured of his foolishness. And if his Friends and Relations daily receive capital punishment as he saith, it is because they adhere to the foolish dictates of such a frenetick Impostor, by which they are blinded and bewitched to foment such mortal and pestilent conspiracy against their Prince and the State, And therefore justly suffer : The same Response may also be returned to his Example of *Samuel* : That nothing was acted by him on *Agag*, but by the special command of God. Which, because it was neglected of *Saul*, *Samuel* according to the Voice of God, hewed him in pieces before the Lord in *Gilgal*. Neither was this *Agag* a Tyrant, as this Impostor saith, or an Usurper, or had any rule or command over the People of *Israel*, and therefore *extra oleas fertur*, he is carried beyond the limits of the question, and idly argueth *not ad idem*. He concludes with the Example of *Jehojada* the high Priest, who saith he, Six years hid the right Heir of the Crown in the House of the Lord, and without doubt was all that while contriving the destruction of that Tyrant *Athaliah*, who aspired to the Crown by the destruction of those had right to it, but though he pretended no immediate command from God as *Jehu* did, or immediate by *Urim & Thummim*, which signified his Prophetical Office, & by which he answered as from an Oracle; yet as *Peter Martyr* saith, In 2 Kings. 11. he enterprised that Act *Fiducia praclara auxilii Divini*, By the clear and manifest confidence of the Divine assistance, or as *Wolfinus Tigurinus*, *Impulsu Spiritus Sancti*, By the Impulse and Inspiration of the Divine Spirit; And therefore doth this Impostor improperly ascribe this action to the sole contrivement and invention of man; and that *Jehojada* had no pretence to authorize this action, but the equity and Justice of the Act it self, which was Gods Act in him, and wrought by the Impulse of his Spirit; who though as *Lavater* also saith, Whatsoever he did was done by the Incitement of the Holy Spirit, yet doth he use the ordinary means of prudence, and diligence, and military forces : Because humane helps, when they be offered ought not to be despised, no more then they were by *Moses* and *Jehu* in the like case. And whereas he saith, that any man might have done what *Jehojada* did as lawfully, that could have done it is as essentially as he : *Jehojada* did not do it, as *Jehojada* or a private person, but as the Princes Tutor and Guardian, which appertained to him, as the next of kinne, having married the Princes Aunt, who in that respect, represented the person of the Prince; and by virtue of that Relation was not onely obliged to hide and defend his person, but to have a care of his right to the Crown, and restore him to the Kingdom of *Juda*, which he lawfully did, and onely might do, and not any other private person. And therefore for that Royal Act was he honoured as a King, and buried a among the Kings. Besides, as *Peter Martyr* saith, *Non erat homo privatus*,

sed

1 Sam. 15.

3.

Lib. 1. c. 45.

Godw. Ant. l. 1.

c. 45.

Martyr. Con.

In 2 Kings. 11.

In 2 Cron. 23.

2 Chron. 23.

sed Reipublica sumus Pontifex, he was not a private man, but the High Priest of the Commonwealth, to whom it appertained to judge in all Civil as well as Ecclesiastical causes; and by that authority as a Judge according to the decree and promise of God, that the Scepter should not depart from *Judah* till *Shiloh* come; and that his House and Kingdome should be established for ever; and according to the Law in *Deuteronomy*, that the Kingdome should not reside in Strangers; he did lawfully and justly do execution on *Athaliah*, whereby the seizure and possession of that Kingdome was made, and delivered to the right Heir of the House of *Judah*; and did not do it as a private person with his Dagger, but as a publick Magistrate with the assistance of the Nobles, and the approbation of the People; and therefore as the Text saith, All the People of the Land rejoiced, and the City was quiet after they had slain *Athaliah* with the Sword.

2 Chron. 23.
In Eundem
Locum.

But mark this Impostors preposterous allusion; They slew, saith he, *Athaliah* at the horse-gate, and by the Kings house, the very *Whitehall* wherein she had caused the blood royal to be spilt, and which she had so long unjustly possessed, and there, by providence did she receive her punishment, alluding to the late Kings execution before *Whitehall*. A comparison as absurd as odious, and no more like then *Cicero* and his Son: for the one was acted by the authority of a publick Act of Parliament, the Representative of the People; and the other by the malicious and revengeful hand of a Cruel Woman, with the detestation of all the people.

Wherein this Impostor discovereth his reserved intention, in that before he did pretend to stand solely for the Parliament, but here he covertly wheeleth about to the King, and which in the next page he plainly professeth, *Utinam*, saith he, *Te potius Carole, retinuissemus quam hunc habuissemus*, We wish we had rather retained thee O *Charles*, then had this man. Who presaging that he shall not by advising the Parliament draw the Army to his mischievous design, endeavoureth by coqueing the King to invite the Royallists to effect it, and careth not how it be done so it be done, resolving with that desperate malecontent,

Fletere si nequeo superos Achavonta movebo.

Virgil.

If the Heavens will not help him, the Devil shall. But what will the Devil help him to but shame and confusion? and will serve him as he doth the Witches, leave him when he cometh to the gallows; which will be the end and portion also of his accomplices, that unless as he saith, in the contrary sense they repent, they shall also perish as their precedent Assassinares have, and justly suffer in the same place where they shall act such an high offence, and therefore admonish them with the Poet by others dangers to be wisely cautious;

Vos ego nunc moneo, felix quicunque dolore

Alterius, discas posse cavere tuo.

Tibull.

Yet will he not conclude this Story of *Athaliah* without observing that *Jehojada* commanded, that whosoever followed her should be put to death, and generally applies it to all are confederates with his Highness, but more especially to his Chaplaines, and Tryers, who, as he saith, will admit none to the

ministry that preach liberty with the Gospel, though indeed they admit all that will preach not onely civil Peace and Liberty, but also Christian Liberty, and Liberty of Conscience; and onely bar those who will preach unconvicted sedition, and tyranny of conscience: And yet doth he compare them with Baal's priests, because as he saith, they do sacrifice to our Idol of a Magistrate, and preach for Tyrants, when as they preach nothing but sound Doctrine, according to the Scriptures in defence of the Supream Power: and yet would have them hanged before their Pulpits as *Matten Baal's* priest fell before the Altar; but if he is a Jesuit, as he sheweth himself to be, he is one of Baal's Priests.

Et sepe in Magistrum sceleſera redierunt sua.

And what he designs to others may fall on himself, who with his popish Priests and Jesuits, for preaching continually like Baal's Priests, Idolatry, and practising it in their Masses, & principally for sowing the Cockle of Sedition among his Highness's Leige People, as Baal's Priests did, will certainly, as then heretofore have been, be hanged, drawn, and quartered at Tyburn, if once discovered, which they also may be pleased to take notice of, and to use his own phrase, that unless they also repent, they shall all likewise perish.

Horat.

Sed tandem amoto quaramus seria ludo.

And now he begins seriously to consider what he above hath said, and hath found out two Objections which he hath made stronger then he is able to answer. The first is, That those Examples out of the Scriptures, are of men that were inspired of God; and that therefore they had that call, or authority for their actions, which we cannot pretend to: And so that it would be unsafe to us to draw their actions into Examples, unless we had likewise their justifications to alledge; to which he answereth, That if God commandeth these things, it is a sign they were lawful and commendable; But if he had answered, that these were lawful and commendable in them whom the Lord had commanded to do them, Apollo's answer had not been more true. But to say, they are commendable and generally lawful, and to be drawn into Example as a General precept by every one, is more incertain then a Paradox, and absonant from the harmony of the Scriptures; and are no more set down for our imitation then *Jehu's* slaughter of *Foram*, which was done by the expresse Oracle and Revelation of God: For otherwise every private person may by that Example slay his true Prince, such as *Foram*, and *Ahaziah* were, if they degenerate into Tyrants, which this Impostor himself saith, none of sober sense will averre. Thus is the Bee drowned in his own honey, and intangled in his own words, and his own mouth hath condemned him, yea, his own lips testify against him.

Non Apollonis
magis verum,
quam hoc
responsum.

What shall I say of the Israelites robbing of the Egyptians, or *Sampson's* self murther, or *Jonas* casting himself into the Sea, or any other Propheticall precedents, or privileged commandments, of which forth there are many recorded in Holy Writ: but that they were otherwise heynous offences by the Law of God, and out of the general precept, and therefore unlawful for us ordinarily to follow, unless that, as he saith, we had their justifications to alledge.

The

The other Objection is, That there being no opposition made to the Government of his Highness, the people following their callings and traffique at home, making use of the Laws, and appealing to his Highness Court of Justice, that all this argues the peoples tacite consent to the Government. But this Objection is not rightly stated, and something he hath not fully expressed; as to stile that a tacite which is more then a tacite, and implicite consent; for it is more then a tacite and implicite consent: for the Judges and Justices of Peace to take their Commissions from his Highness, and the Sheriffs to act by his Processe, and the people to come in upon the Processe issued out by the Sheriffs, and appealing to his Court of Justice; For there are two main Pillars of Government, *Imperare & Obedire*, to Rule, & to Obey, which are Relatives and cannot be severed; And there can be no Rule without Obedience, nor no Obedience without Rule. *Sint quibus Imperat.* And when subordinate Magistrates are created for the *Meum & Tuum* of the whole Land, to which the people actually submit an active obedience, it is more then a tacit and implicite consent.

And in the stating of the Objection something he hath omitted; for he should have premised that in that his Highness at the Request of divers persons of honour and quality, and many of the chief Officers of the Army, did take upon him the Supream Government, which afterward was seconded by the general consent of the people, and by them created the Supream Magistrate of these Nations, as before hath been acknowledged, and demonstrated; The people therein have openly and explicitly declared their actual and real consent to the Government of his Highness, which would have made the Objection stronger, and altogether unanswerable.

But now to examine his Answer, which is that if commerce and pleading were enough to argue the Peoples consent, and give Tyrants the name of Governments, there was never yet any Tyranny of any long standing in this world, which in his sence may be true, speaking of a Tyrant in *Titulo*, who so soon as he hath gained the peoples consent without any prescription of time, is no longer a Tyrant, even by the judgement of Learned *Grotius*, as he not unworthily stilerh him; whereof commerce, pleadings, and obedience to him and his Magistrates is one clear argument which the general concurrence of the peoples consent makes invincible. And therefore impertinently doth he produce the Examples of *Nero* and *Caligula*, who were not Tyrants in *Titulo*, but *Exercitio*; who if they had been Tyrants in *Titulo*, the consent of the Senate and People had cleared them of that odious name.

And as to the Example of *Eglon*, whom the Israelites, as he saith, served eighteen years, no question but he by his so long continuance of time, and the consent of the people might have challenged the Right of Government, as well as by conquest; neither can time corroborate a principality where the antient of dayes will change it? And to the Example of *Athaliah* who reigned six years, it may be answered, that though traffick, pleadings, and all publick Acts of Justice were exercised by and under her for the same time, yet wanted she the complete consent of the people,

all the people generally disaffected and disliking her Government, which was apparent by their publike rejoycing at her death.

Besides *Jehoiada* by the impulse of God, as a publike Magistrate and Tutor of the Prince, to whom by the decree of God, the Kingdom of *Judah* did remain, which was irrepealable, might lawfully Act what he did against *Athaliah*, though her Raigñ had been of longer continuance, as *Grotius* seemeth to intimate.

Got. de Jur. l.
1. c. 4.

To the third question, Whether the removing of a Tyrant is like to prove of advantage to the Commonwealth, or not; he can scarce perswade himself to say any thing, because he thinks that needles, and all one to enquire whether it is better the man dye, or the impostume be launched, or the Gangreen Limbe be cut off: yet be there some, saith he, whose cowardice and avarice furnish them with some Arguments to the contrary, and would feign make the world believe, that to be base and degenerate, is to be cautious and prudent; and what indeed is a servile fear, they basely call a Christian patience; and that with continuance in slavery they have lost their courage, and with their courage their Fortunes.

And thus would he perswade his Auditors to precipitate themselves into mortal dangers, upon the rumination of his precepts, as *Cleombrotus* vainly did on *Plato's*, without any prudential circumspection or caution.

De regnis Inst.
1. 1. c. 6.

But he might have Learned a more wary Lesson of his Master *Mariana*, who though he Fathers his impious principles, yet adviseth he every man to be cautious how he enterpriseth such a dangerous attempt. *Attentè* saith he, *cogitandum est*; we ought seriously to consider what moderation and reason is to be observed in expelling a Tyrannical Prince; least one evil be heaped on another, and one impiety avenged by another; and the safest and expedite way is, if a publike assembly may be called to deliberate by common consent, what is to be determined: And especially the Prince is to be admonished, to be recalled to health; who if he obey and satisfy the Commonwealth, I think it fitting to desist, and not use bitter and sharp Remedies. But his Master *Mariana's* provident Instructions are too dilatory for this Monsters heady Resolution, who will rather hearken to the Counsel of his prime Apostle *Machiavel*, That men deceive themselves, saith he, to mollify arrogancy with humility; a Tyrant is never modest but when he is weak, 'tis in the Winter of his fortune when the Serpent bites not; we must not therefore expect cure from our patience, and suffer our selves to be coudened with hopes of amendement; though our Saviours Counsell is, that if our Brother trespass against us, we should first tell him of his fault privately; and if he hear us not, to tell him of it before witnesses; and if he refuse them, to tell it to the Church: but if he refuse the Church also, let him be as an Heathen and Publicane. These are the degrees of charity every Christian is to observe in admonishing his Brother, before he exerciseth the severity and extremity of Justice; because as our Saviour saith, by that means we may win our Brother; and he is little less than an Infidel & Publicane that refuseth so to do. Nay, God himself never strikes but he denounceth his admonitions that they might repent; as he did by *Elijah* to *Ahab*, by *Jado* to *Jeroboam*, by *Jeremiah* to *Zedekiah*, and by *Daniel* to *Nebuchadnezzar*:

Matt. 18. 15.

chadnezar : and in civil affaires admonition ought to precede Proceſſe ;
Non autem de neceſſitate, ſed de urbanitate, & honeſtate, nor for neceſſitie *Tholoſ. Synt. l.*
 fake, but for civility, and honeſty ; ſo as this Impoſtor ſeems in this ſud- *32. c. 3.*
 dain ſit to be void of all Piety, Civility, and Honeſty ; and like a Brain-ſick
 Mountebanck will cut off the Limbe, before it appears to be a Gangrene
 or immedicable, and lance the Impoſtume, which with Sovereign Salves
 may be cured, and Judge that a Gangrene and Impoſtume which is none.
 Yet this Impoſtor ſaith, *Nemo unquam imperium ſlagitiis quaſitum bonis arti-*
bus exercuit ; never did any man Mannage the Government with Juſtice
 that got it by wicked meanes : The longer a Tyrant lives, the more the
 Tyrannical humor increaſeth in himſelf. But this is part of Piſos ſpeech *Tac. l. 1. Hiſt.*
 againſt *Orbo*, who was a competitor with him for the Empire ; and there-
 fore the leſſe authentical : And if *Flagitiis* is underſtood by force and might,
 as this Impoſtor in this pamphlet ſeemes to take it, then this poſition is
 not generally true ; for *Julius Caſar* who gained the Empire by force, and is
 ſtilled by *Viſtor Invaſor*, was as he ſaith, *tam pacis bellique artibus clarus, & im-*
primis clementia longe clariffimus, moſt famous in Peace and Warre ; and
 eſpecially in clemency moſt famous : And though *Auguſtus* was *Dominandi* *Ib. vita Aug.*
ſupra modum avidiffimus, and by might obtained the Empire ; yet for his
 candid Demeanor and civil Juſtice was he ſo beloved, and honored after
 his deceaſe by the people, that they wiſhed *ut non naſceretur, aut non more-*
retur, that he had not been born, or had not died : beſides *Grotius* ſaith, *Grot. l. 3. c. 14.*
Tyranni interdum libertatem reddiderunt ; Tyrants ſometimes have reſtored
 Liberty ; & *Tacitus* himſelf in the ſame ſenſe, *Vitia erunt donec homines, ſed nec*
hac continua, ſed interventu meliorum penſantur ; there will be Vices as long
 as there be men ; but theſe are not continual, but are recompended by the
 intervening and ſupply of better things.

But what, ſaith he, would ſucceed, if a Tyrant ſhould be removed ? I will
 tell him, that *cura pejor ſit morbo* ; the cure may be more dangerous then
 the diſeaſe. And as his Maſter *Mariana* ſaith, one evil may be heaped on
 another ; and one Impiety avenged by another : and all Hiſtorians will
 ſhew him the lamentable events of ſuch prepoſterous and precipitated mu-
 tations, which many times beget effuſion of blood, ruines, and ſacking of
 Cities, and ſometimes the deſtruction of Cities and Kingdoms. But I will
 rather inſtance in ſome ancient Examples then Novel, which as yet adhere
 in the minds and mouthes of men : It is not unknown to thoſe who are
 verſed in Annals, that of all the *Grecians* none were more renowned
 then the *Spartans*, either for the glory of Military, or ſeverity of Civil
 diſcipline : but they when they could not endure the Dominion of *Agis*
 becauſe it ſeemed to be a Tyranny ; conſpired againſt him, and openly
 ſlew him : But what were the Fruits of this unhappy Slaughter, *Tully Cic. Tull. Offic.*
 doth ſhew us ; *Ex eo tempore*, from that time, ſaith he, the ſtrength of the
Lacedemonians did fall into divers Stormes and Tempeſts of adverſities ; and
 did ſuffer all the calamities of a miſerable ſtate. And what ſucceeded the
 Earbarous ſlaughter of *Caſar*, but moſt dangerous and morral Diviſions a-
 mong the chief, who being inflamed with the hope of obtaining the Empire
 did by their Diſſentions tear the Bowels of the Commonwealt in pieces ?

Hiflor.

Infomuch that the people complained, as *Tacitus* relateth, *prope eversum orbem, etiam cum de principatu certaretur*; That by the Dissentions of men, concerning the principality, the whole world was turned upside down: Which *Cæsar* himself presaged, who being informed of some Nocturnal conjurations, and meetings of some Malevolent persons, did checke and reprehend them saying and Prophecying of himself, *Non tam sua quam Reipublicæ interesse ut salvus fieret*, That it reflected not so much upon his own good, as the welfare of the Commonwealth, that he should be safe; and that for himself he had got abundance of glory: but the Commonwealth, if any such thing should happen, would not be quiet and peaceable, but in a worse condition then before.

InPlut.inBynto.

And therefore is the safety of a Tyrant more to be desired then his Slaughterer, because commonly civil Warres thereupon ensue: for as *Favorinus*, A civil Warre is worse then an unlawful Dominion; which *Cicero*, who could best judge of the best State of a Commonwealth, in his Epistle to *Pomponius Atticus*, in the time of the civil Warres writing of them, acknowledged, *Ego autem usque eo enervatus sum, ut malim intrupavisse quam cum optima spe dimicare*; But I, saith he, am so out of heart and cast down that I had rather live under a Tyrant, then fight with the best of hopes. And therefore after the civil Warres were ended, and the Empire placed on *Augustus*, the people wisely, as *Tacitus* writes, *novis rebus aultituta, et præsentia quam vetera et periculosa mallent*: being augmented and advanced by their new Government, did desire rather those present times which were safe, then those preterite which were dangerous. This needs no application to the condition of our State: *Res ipsa loquitur*.

Lib. 1. Ann.

Golden Grove.

1.3.c.1.

Besides it is observed, that according to the French Proverb, *Un mal traine un autre*, one evil draws on another; and commonly that one Tyrants head being cut off, three more may arise in their roome; so the people of Rome by the avoiding the *Scilla* of one Tyrant, to wit *Silla* fell headlong into the *Charybdis* of many Tyrants, which more perplexed them. To which purpose *Valerius Maximus* reporteth a pretty Story of a certain old Woman, who, when the *Syracusians* did fervently desire the end and expiration of *Dionysius* the Tyrant, did poure forth her Prayers for his health; and being demanded of the Tyrant (wondring at her undeserved reverence to him) for what good turn she did so: answered, that she being a Maid, and living under a grievous Tyrant, desired to be rid of him, who being slain, a more cruel Tyrant possessed the Castle, and that she also wished a period to his Dominion, which also was effected, and that then a more outrageous Tyrant succeeded him: And therefore saith she, fearing that you being taken away, a worse might possess your place, she did devote her Prayers for his safety: A grave though a Fæminine answer, which deserves to be placed among the famous Apothegmes; for it is generally observed, which also is verified in the succession of the first Roman Emperour, that the latter commonly is worse then the former.

L. 6. c. 3.

Tiberius, as *Dion*. saith, was cruel, and a dissembler; and was sublated by poison, whom *Caligula* succeeded, an incestuous, Prodigious, and Luxurious Tyrant, and incestuous with his Sisters, whom *Chæsa* murdered.

Claudius

Claudius succeeded him, who was a Slave to *Messalina* and his Servants, and was poisoned with a Mushroome; whom *Galba* succeeded, who was *inexplebilis pecunia*, a Slave to his Coffers; which is a most abominable vice in a Prince, who above all others ought to be magnificent; for which vilenesse he was slain by his Souldiers. *Nero* succeeded him, who was a detestable Monster, defiled his Mother, and after murdered her; he was condemned by the *Senate*, and for fear of shame executed the office of Hangman upon himself. Not long after *Vitellius* took upon him the Empire, who was nothing else but drunkenesse and gluttony, and of all the rest died most shamefully and miserably; *Aetas parentum peior avis*, and seldome comes a better. Onely *Vespasian*, saith *Tacitus*, *in melius mutatus erat*, was changed into the better. I could Load you with Examples of this nature, but my Intention is not to be tedious and burthen some: But let us perpend what this Impostor saith to it: It is phrensy, saith he, and ridiculous policy, to suffer a certain misery for a contingent one, and let the disease kill us because there is danger by the cure, and ne moriari mori, and not to desire a change, when we are certain we cannot be worse: *Cujus contrarium verum est*; in this case the contrary is true; for we suffer not a certain misery; and if we change, we may be worse; for we now possesse plenty and peace, which are *optima rerum*, the best of things; and upon the change may probably fall into civil dissentions, and have a worse Government, which is *peffima rerum*, the worst of things: and therefore as *Cicero* in the same case affirmeth, *omnis pax bello civili utilior videtur*: Any peace seemes more commodious then a civil Warre. And whosoever should attempt such an infernal Act, is sure to undergo a certain, not a contingent misery, and no lesse then capital censure, and losse of Life; unlesse with this Impostors brave *Syndercombe* he prevents it with a *ne moriari mori*; for discovery, vengeance lies at there door; and the Lord doth never, or rarely permit such Impostors to escape Divine Justice: *Augustus*, as *Suetonius* Historieth *Vita Augusti*. it, *non ultima quidem sortis hominum conspiratione & periculo caruit*, wanted not the dangerous conspiracies of the meaner sort of men; yet were they discovered or suppressed, *priusquam invalescerent*, before they were of any validity, and incurred the fatal stroke of the Sword of Justice: And to come nearer the state of the question, *Leonagillus*, an ancient King of the *Golden Grove*. *Goths* in Spain, both a Tyrant and a *Arrian*, pursued the true Christians, *i. y. c. i.* and exiled his own Son, because he was of the true Religion; whereupon this young Prince being moved at the persecution of the Christians, did twice raise Armes against his Lord and Father: At the first he was taken captive and banished, and at the second he was put to death on Easter day. So *Nebuchadnezzar* being a Tyrant and Persecutor of the Jews, who were then Gods people, yet because *Zedekiah* rebelled against him, who was then his Sovereign, was he put to flight, and he and his Sons taken Prisoners, who were slain before his eyes, and himself bound in chaines, cast into Prison, and both his eyes put out, where he remained till the day of death. Two notable Examples of the effects of Gods Judgements against two Princes for rebelling against their Sovereign. More precedents to this purpose are recorded in the Volumes of preterit Stories, *quam muscarum*

miscarum cum caletur maximè, then rises in the heat of Summer : but I Study Brevity, especially in so a clear case ; howsoever it is resolved in this Impostors Junto, that his *Highness* is to be killed ; but he onely questions the manner how ; some, saith he, are of a strange opinion, that it were a generous and noble *Act* to kill his *Highness* in the Field, but that pleaseth not his Spirit, knowing well that he is *impar congressus Achilli*, and that he is stronger in the Field then in the Court ; and doth not like the hazard, blood and confusion that thereupon might ensue : but he would have him catched in a Ginne, and slain by a Stratagem ; for, saith he, *The most Lawful way to destroy him, is the readiest ; no matter whether by force or fraude.*

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Regis Inst. l. 1.
c. 7.

And by consequent, saith *Mariana*, no matter, if by poison, especially, saith he, the faculty of Acting by fraude being granted. And for this reason ; because saith this Impostor, it may be so effected with lesse hazard, blood, and confusion, which makes no difference between open force, and private fraude ; for though he be not removed by a precedent bloody War, yet a subsequent Warre may happen as dangerous and as bloody as it, as it did upon *Cesar*, and *Richard* the seconds Slaughter ; which was the cause of the greatest confusion and effusion of blood between the Houses of *York* and *LANCASTER*, that ever embroyled this Nation, wherein four score of the Blood-Royal perished. As also of the losse of *France*, which as *Philip Cominaus*, Secretary to *Lewis* the eleventh King of *France*, averreth, we might have retained, had not those divisions intervened and impeded us ; such are the fatal effects of the murder of Supream Magistrates, though supposed Tyrants.

Aristotle.

And though it is more generous and more noble to kill the Enemy in the Field, then by fraude ; and that a magnanimous man loves to speak freely and truly ; and a generous mind knows not by stealth to conquer his Enemy ; as *Alexander*, though he were Advised by *Parmenio*, to conquer his mighty Enemy *Darius* by circumvention, refused so to do, holding it more glorious, *Aperto Marte*, by dint of Sword to gain the Victory, because thereby the mind of the Enemy is perpetually conquered, and forced to confesse the Victory, as *Claudian*,

Confessos animo quoque subjugat hostes.

And which generally also was the practice of the *Romans*, unto the end of the second *Punick* Warre ; yet is fraude by the stoutest and sagest Captains ranked in equal posture with strength and might, as *Ulysses*,

Virg. Æn. 2.

Dolus an virtus, quis in hoste requirat.

Silius Ital.

And as by *Fabius Maximus*,

Et in virtuti placuit dolus.

And according to the vulgar Verse :

Nil refert armis contingat palma, dolove.

Quest. 10. super
Jof.

And as *Austin*, it appertaineth not to the Justice of Warre, whether it be Acted by force or fraude.

De re Militar.

And to give the Devil his due, such prudent fraude and craft is to be preferred in Martial enterprises, before force and might of hand, because as *Vegetius*, *aperto Marte commune est periculum* : In open fight the danger is common and equal ; but *Ex occulto*, by a close and suddain fight, the Enemy

my may be either vanquished or put to flight with little losse and lesse danger; which was the cause of the Ceremony of the *Lacedemonians* (who of all the *Grecians* were the best warriors) that they (when they overcame the Enemy by Stratageme) did sacrifice an Oxe to *Mars*; but when by open strength, a Cock; preferring the utility of the first before the magnanimity of the latter: And therefore *Chrysostome* chiefly commended thole *Chrysostome L. de sacerdotio.* Emperors, who by fraude obtained Victories. But what doth all this avail to this Impostors drift? for though such Stratagemes are approved between Prince and Prince, Caprain and Caprain; yet are not such violent fraudes allowable between private persons in a peaceable Commonwealth, much lesse to Subjects against their Magistrates, who are to obey Magistrates, as the Apostle *Paul* saith, and to be subject to Principalities and Powers; for that were *caelum cum terra miscere*, to confound Heaven with Earth, and make a *Chaos* or confusion in the Commonwealth, and therefore by all Princes condemned as Capital.

And though Empoisoning is lesse turbulent, because more occult; yet is it more execrable and detestable, and exploded by the Law of Nations, even in military affaires. Which *Tiberius* (subtil enough to do mischief) refused to Act on his terrible Enemy *Arminius*, of which *Grotius* gives the reasons; because the perils of Warre (which were frequent) should be too much extended. And that Princes (whose lives before others are de- *Grotius de Bel-* fended by Armes) are lesse safe then others from poison: Yet *Mariana* lo l.3.c.4. (this Impostors Tutor) who approves the killing of Princes by poison, whom he calls Tyrants, if they do not please the Pope; yet alwayes with *De Regis Inst.* this modification, That it is better to poison a Tyrant in his chair, or in l.1.c.7. his habit, in imitation of the Moores, then to poison his drink, for fear the Tyrant may be guilty of killing himself, and that it may prejudice his Salvation.

Certainly a great Example of charity saith *Pierre du Mouline* Ironically, *Bourbier de* that those Fathers should have a cure of the Soul, when they cause the Body la foy. Fo. 730. to be slain; and yet extols the Murder of *Jacobin* the Monk, for killing with a poisoned Knife *Henry* the third King of France, saying, *caso Regis, ingens De Regis Inst.* *sibi nomen fecit*, That he got himself a great and excellent name by killing him; for which the Pope gave thank to God in a full Consistory, *Pet. Mol. b.d.f.* without any charitable respect to the Soul of *Henry* the third: Such charitable Fathers hath this Impostor. 129.

And though the *Goths*, and the *Parthians*, and the *Moores*, did infect their Weapons with poison, and double the causes of death; yet hath it alwayes been abhorred of most Christians, and especially of the ancient *Brittains*, as *Johannes Sarisburiensis* (the Disciple of *Thomas Becket*) writeth, *Quod Britannia veneno abhorruit, & in principes non novit, sed pro De Nugis Cur.* *suis principibus invictos gladios exercere*: That *Brittany* abhorred from poisoning, and did not know to exercise their invincible Swords against their Princes, but for their Princes. And such poisoning Plots were not heard of in our Nation, until some *Spaniards* thinking to make Queen *Elizabeth Bakers Hist. 2.* away by poison, and not daring to trust any *English* man in such a businesse, *Eliz. Reign. Fo.* did treat to that purpose with *Rodericke Lopez* a Jew, and Physitian to the 553.

Queen, with *Ferrara Loyfy* and other *Portugals*, who came into *England* at that time in Relation to *Don Antonio*, but were discovered by the Interception of their Letters, and were all condemned and executed at *Tyburn*.

But now he begins to rave, and like *Ajax* is angry without fear or wit;

Calido sub pectore bilis

Perseus sat. 5.

Infummit, quam non extinxerat Urna cicuta.

He presageeth, and truly that his senceless projects will not prevail with ingenious Auditors; and that he doth

Ventis perfundere verba,

Vent his mind to the wind; and therefore gives over his seducing exhortations, and vomits out the Venone of his rancour and bitterness against every one. What have we of the Nobility (saith he) but the name? The Luxury and the Vices of them. Poor Wretches, those that now carry the Title, are so far from any of their Virtues that should grace them, and indeed give them the Titles, that they have not so much as their generous Vices, Indignation, and Ambition.

And wherefore all this, but that the Nobles are so virtuous and pious, as to submit to the good pleasure of the Almighty, and not madly (as he doth) to kick against the Prick.

What have the Ministers, saith he, or what indeed desire they of their calling, but their Titles? how do they rack the Scriptures for flatteries, and impudently apply them to his Highness? And why this also? but that they derive his Highness Authority from the power of the Scriptures, and Minister the sincere Milk of the word, and in plain evidence of the Spirit and power, and not by the enticing Speech of mans wisdom, as he doth the contrary.

What is the City, saith he, but a great tame Beast that eats, and carries, and cares not who rides it? And this too, because they prudently and cautiously affect peace and tranquillity, and will not be rid by such a mischievous Baboon, nor driven through his instigations to rush into the Battail, like the Horse and Mule that have no understanding. And what, saith he, will not the Army fight for? what will they not fight against? what are they but Janisaries and Slaves themselves, and making all others so? But it is an old saying, that one Fool may propound more questions then twenty wise men are able to answer; but he hath here propounded many questions any Fool may answer.

What will not the Army fight for? saith he: Who knows not but they will not fight for such seditious, and turbulent Traitors as he? and who knows not what they will not fight against? not against their courageous and Victorious General; and their magnificent, and courteous Lord and Protector; and who knows not that they are not Janisaries, but their Generals Commilitons and fellow Souldiers; not Slaves, but Commanders, and have freed us from Slavery; and as it is said in, the peoples late Representative, restored us to peace and tranquillity?

At the last saith he, What are the people in general, but Knaves, Fools, and Cowards, principled for ease, vice, and Slavery? But who knows not that their honesty and fidelity exceedeth that of other Nations, and that in that respect *Anglorum fides*, among Christians may passe for a proverb; as anciently

tiently *Attica fides* did among the Grecians? And he hath forgotten what his holy Father Pope *Gregory* called them, *Angli, quasi Angeli*, for their feature, and honesty; and fools they are not, because they will not swallow this Impostors principles of knavery, which none but fools and gudgeons will? And who dares call them so, whose renowned valour is echoed and re-sounded within the circumference of *France, Spain, and Germany*, and are not principled in ease, vice, and slavery as he saith, but employed in noble and virtuous actions, for the glory of their Countrey?

And as for Slaves, that Tenure hath been long since exiled *England*, *Et nunquam Libertas gratior extat*, We never enjoyed more gracious Liberty; And those Epithites do more properly appertain to himself. For doth not he play the knave and fool too with the Nobles, Ministers, Citizens, Parliament, People, and with the Council? yea, the *Proteſtor* himself almost in every passage of this pamphlet?

And who will not judge him a Fool, whose peevish conceits end in his own destruction, which questionless will fall on his petulant noddle? *Et Sapiens incipit a fine*, And a Wise man begins from the end. And a Coward certainly he is, and dares not appear in the open field, though a professed Souldier,

— *Et larga est illi copia fandi*
Tunc eum bella manus poſcunt.

Virgil. Æneid.

And is bragging and prating when he should be fighting.

Syndercombe is the onely Patriot, he deems worthy of his Elogies, who he saith, hath shewed as great a mind, as any Old Rome could boast of; and had he lived there, his name had been registred with *Brutus* and *Cassius*, and had had his statue aswell as they; and so he might; for *Brutus* and *Cassius* had no statues erected to them in *Rome*; And if they had not fled from *Rome*, the people had served them as they did *Cæſar*, so much they abhorred his barbarous murder; But on the contrary, besides statues, the people erected a Column of the purest stone, almost of twenty foot long to *Cæſar*, and placed it in the Market-place, in which was engraven *Pater Patriæ*. And also erected a Temple to him in common with the Goddess of *Clemency*, and conferred many Divine honors on him. But all the honour that *Brutus* and *Cassius* gained, was their miserable self-murder, and rather for the same merited a stake knocked in their graves, then statue in the temple, with his desperate *Syndercomb*, who instead of raking away his stake from his grave (which this Impostor would have) deserveth to have his head fastned to the top of a long pole, and set on the top of *Newgate* according to the English custome, as an ensign of his traitorous intention, and spectacle of infamy, which is the onely statue or monument this Impostor must expect for him. Yet do I not much wonder why he is so profuse and excessive in his commendations, when I observe that he chiefly praiseth him, for that neither bribes nor terrors could make him betray his Friends, whereof he may be supposed to be one, and that *Mulus Mulum scabit*, One Knave claws another.

And at the last I cannot but observe that this Impostor in three passages of this pamphlet, hath been tampering with the Army to perswade them-

against his *Higness*, and hath excogitated an irrefragable reason, as he supposeth, whereby to effect it; 'Tis a Rule saith he, that Tyrants observe when they are in power, never to make use of them that help them to it. And indeed, saith he, it is their interest and security not to do it: for those that have been the Authors of their greatness, being conscious of their many merits, they are bold with the Tyrant, and lesse industrious to please him; They think all they can do for them is their due, and still they expect more; and when they fail in their expectations, as it is impossible to satisfie them, their disappointments make them discontented, and their discontents dangerous.

His Rule is experimentally false; for Princes whom he styles Tyrants, when they are in power make use of those, and prefer them that helped them to it, until they grow insolent in their demands, and offensive in their discontents.

But true it is, that it is a most difficult thing to please and satisfie those that advanced him, and secure them from discontent, which made *Nerva* to complain, after he had taken upon him the Empire, that he was not onely subject to many vexations, and perils, but to the censure not onely of his Enemies, but of his Friends: *Qui cum merere omnia presumunt, si quicquam non extorserint, atrociore sunt ipsis quoque hostibus.* Who when they presume to merit all things, if they cannot extort what they desire, are more bitter and dangerous then their Enemies themselves

And therefore is every Prince and Emperour between *Scylla* and *Charibdis*, two dangerous Rocks, to wile, their enemies and their Friends. And though by their Friends assistance they keep their Enemies in aw; yet many times their deserts make them to forget themselves, and in a most dangerous manner to oppose their Princes, if they correspond not with their peremptory votes, which hath Moved Princes sometimes to lessen their power, and other times severely to punish them According to the degree of the contempt; of which a rare Example we have in the uncivil department of Sir William *Stoanley* towards *Henry* the Seventh, who at the Bartail of *Bosworth*, came in to rescue him, when he was in danger to be slain by *Richard* the Third, and afterwards did set the Crown on his head, which was found among the spoils; for which Noble Act he promoted him to be one of the Privy Council, & Lord Chamberlain of his Household, and gave him the Ample Spoils of the Victory, and otherwise abundantly rewarded him, inso much as at his death were found in his Castle in ready money Forty thousand Marks besides Plate and Jewels:

Bak. Hen. 7.

Bacon. Hen. 7. Yet because *Henry* the Seveth refused to grant him one inconvenient boon (to wit) to be Earl of *Chester* (which was an Appennage to the Principality of *Wales*, and an honour appropriate onely to the Kings Son) he fell into a michievous discontent, and began to incline to *Perkins*, and as some say, to aid him with mony; but certainly to prefer the Title of *York* before that of *Lancaster*, which appeared by his own confession, in saying that if he certainly knew that *Perkins* was the son of *Edward* the fourth, he would never fight, nor bear arms against him, for which words he was arraigned, condemned, and beheaded; and all his former merits buried in the grave

of

*Vitor Vita
Nerva.*

of this conditional treason: and in this sense, is that true that the Impostor saith, that a Prince will never trust those he hath provoked, and fears, and will be sure to keep him down, least he should pluck him down.

And in such cases a Prince is not at liberty to shew mercy as a private man may; for a Prince, as Sir Edward Coke, is *Caput & salus Reipublicæ*, the *Coke l. 5. f. 12.* head and safety of the Commonwealth. And as from the head health is conveyed to every part of the body, so from the Prince safety is conveyed to every part of the Commonwealth, and every private person hath interest in the safety of the Prince, because his safety is their safety; and therefore a Prince ought not freely and absolutely to shew mercy to such traitorous malefactors, because the Commonwealth is intercessed in it.

Et pereat unus ne pereant omnes. It is better that one perish, then all suffer; And a Prince (to use that Impostors allusion) may use *such friends* (who abuse their trust, and conspire against him, and are not onely useless, but obnoxious to the Commonwealth,) as *Dionysius* did, hang them up like Bottles, and not incur the title of a Tyrant, but be adjudged a wise Prince, as Henry the seventh was.

But now this Impostor is acting the last Scene of his interlude, and as in a Tragedie, in the beginning or Prologus, he was very pleasant, so now in the Catastrophe he is very rigid, and threatens nothing but death. — *Instant omnia mortem.* And verily all his passages would better become a Scenical Stage, then a Princely Court, wherein he layes his bloody Scene, and like an imposthomed stomach vomits nothing but blood. *Though brave Syndercombes great spirit saith he, be suppressed, yet there are a great rowl behind even of those, which are in his own muster-rows, that are ambitious of the names of Deliverers of their Countrey, and do know what the action is that will purchase it.* Which they all know to the contrary, that his Highness eminently, and the Officers and Souldiers of the Army subordinately, have (under God) been the Deliverers of their Country, and Restorers of our Peace and Tranquillity, whose faithfulness to the Commonwealth, the late Parliament gratefully and publicly acknowledged, and that they shall put a just value thereupon, to their general satisfaction. In vain therefore doth this Impostor go about to fright his Highness with a supposition of their infidelity, whose constancy as a rock is irremovable, and with one voice averre. *See the Humble Advice fol. 2.*

Nec feret illa dies ut commutemur in evo.

Auso.

And further with a bug-bear he thinks to fright his Highness as others do Children: His Bed, his Table saith he, is not secure: and he stands in need of other Guardes to defend him against his own. But those are but *Figmenta & terricula menta puerorum*, Feigned and childish scare-crowes, and are above credulity.

Nec pueri credunt, nisi qui nondum are lavantur.

Ju.

For he who hath the wisdom to win the affections of a potent Army, cannot want the prudence to gain the love of his own Family, which as *Cleobolus*, is the best Oeconomy to govern by love, not fear, as his Highness doth, who as a greater *Pater familiae* as *Macrobius* adviseth, useth his Followers as Familiars, and not as Servants, but as Fellow-servants. *Macrob. Sat. l. 1. c. 11.*

And

Beisius de Nat.
Ep. ad Max.

And also his *Highness* Court is by his *Virtuous* and *Religious* Example formed and fashioned into such a pious and civil frame, as the Emperor *Maximilian* was, that no *Christian* family can be better instructed, and instructed; and therefore his Followers cannot be inscious, what an abominable, and odious crime it is to betray their Lord and Master not onely in respect of them to whom by mutual relation they are obliged to be faithful, but in the apprehension of others, and even of those who have instigated them to commit such a detestable fact, and received benefit by it, and yet punishing them for it?

Patric. de
Princip.
Tit. 20.

As we read of *Publius Servilius*, who being with *C. Marius* and *L. Sylla* Condemned as Enemies of the people of *Rome*, hid himself in a private Village, but was betrayed by his Servant, and so slain, whom for his prodition they first rewarded, and then as a Proditor precipitated from the *Tarpeian* stone.

Patric. de
Princip.
Tit. 20.

And so *Sylla* the Daughter of *Nysus*, who inflamed with the love of *Minois*, upon his promise to her of marriage, betrayed her Fathers Palace to him; but in stead of standing to his promise, he married her to the *Ocean*, and precipitated her to the bottom of the Sea.

Dion. l. 60.

And so it is also related of *Claudius*, that before he had gotten the Empire, he was assured it by *Cassius*, *Cheraa*, and *Lappys*, who slew *Caligula*, yet after he had possessed it, he caused them to be punished with death. Because though *Caligula* for his cruelty deserved to be cut off, yet ought it not to have been done by *Cheraa* his *Tribune* to whom the safety of the Prince was committed: for how can a Prince expect that he will be faithful to him, was perfidious to another?

Niceph. l. 14.
c. 16.

And if *Philip of Macedon*, who above all other Princes approved Proditors, will give them a reward, yet did he permit his Souldiers to taunt them, and call a Spade a Spade.

To which purpose *Nicephorus* reported of *Constantius*, that when he had conquered *Zadobius* who rebelled against him, and put him to flight, and forced him to repair to his familiar Friend *Eudicius* for refuge, who had received many benefits from him, yet in the night ungratefully cut off his head, and in all haste carried it to *Constantius*, who gave him thanks for it, but would not permit him to remain with him, neither did he think the company of a perfidious Friend to be good matter or example to himself, or army: Inasmuch as if Proditors sometimes escape capital punishment, yet can they never avoid capital hatred.

Pol. Virgil. l. 1.
c. 17.

By such Patterns and Examples as these, which his Highness Gentleman and Servants have learned in their Academy (for what is his Court but a little University? so studious are they of any erudition) are they settled and confirmed in their fidelity and allegiance, that his Highness doth not stand in need of another Guard to guard them, as this Impostor pretenderth: for they are his privy and Cabinet-guard, and nearer to him then his Life-guard, who in all privy and secret passages are prompt at hand, girded with their Swords to guard and defend his person with hazard of their Lives. As the courageous Servant of *Maurice* Duke of *Saxony*, did, who of late years seeing his Master suddenly assaulted by certain Turks that
lay

lay in ambush, and cast from his Horse, covered him with his own Body, and valiantly repelled the Enemy, until certain Horse-men came in, and saved the Prince, but died himself a little while after, being hurt, and wounded in every part of his Body.

Or as the undaunted and adventurous Esquire of the Duke of Guise, who seriously surveying a Trench, a certain Souldier levelled a Harquebuss at him; which his Squire espying as it was firing, suddainly casting himself between them, and with the losse of his own Life, guarded his Masters.

Jean de Seves
Chary f. 446.

Or else as that affectionate Servant of *Urbinius*, who being commanded to be slain, hid himself in a secret place, but being betrayed, one of his Servants changed his apparel with him, and put his Ring on his finger, whom the Souldiers rushing into his Bed-chamber, supposing him to be his Master suddainly slew him, by which meanes his Master escaped.

Macrobi. Sat.
l. i. c. 11.

I could furnish you with many more Examples of such Noble Servants, who have sacrificed their Lives for their Masters safety; but I hasten to an end; *Pulchrum est pro Domino mori*, It is a most glorious act to die for a Master; for which many Servants have been graced with Noble Elogies, and registred in the Monuments of Eternal Memory.

At the last this Hobgoblin would fright his *Highness* with the formidable judgements of God out of the Scriptures; which he abuseth as the Devil did, when he tempted our Saviour, and have more analogy and proportion to this Impostor then to his *Highness*.

For those places of Scripture which he thundreth out of *Job*, against him, are judgements generally denounced by the Spirit of God against the wicked for their evil and wicked imaginations, and machinations; and therefore I do truly, and properly applie them to himself. *Death and Destruction pursues him wheresoever he goes; they follow him everywhere. Darkness is hid in his secret places. A fire not blown shall consume him: he shall flee from the Iron Weapon, and a Bow of Steel shall strike him through: The Heavens shall reveal his iniquity, and the Earth shall rise up against him. That the eyes of the wicked shall fail, and they shall not escape, their hope shall be at the giving up the ghost. And so I fear it will be with him, for before the giving up the ghost he will never repent, or be good.*

Job. 20. 24.

Ver. 27.

Job 10. 21.

But to his *Highness* the antecedent Verses may justly be ascribed: Thou shalt be secure, because there is hope, thou shalt digge about thee, and thou shalt take thy rest in safety. Also thou shalt lye down, and none shall make thee afraid; yea many shall make suite unto thee.

Rex eris, ajunt,

*Si recte facias: hic murus aeneus esto
Nil confire sibi, nulla pallescere culpa.*

Horat. Ep.

Thus would this Monopoly of mischief have frightened his *Highness* with pernicious and deadly Threats; who though *Pyrrhus* and *Hanibal* were *ad portas*, yet would he not fear them, no nor the principalities and powers that dwell in high places; nor all the crafts and subtilities of the Devil, or this Impostor himself, who is one of his most pretious Imps; for the Lord is with him: But on the contrary, his *Highness* hath struck him

intro

Horat. l. 1.
Ep. 10.

(56)

into such a fright, — *Ut motu ad Lunam trapidabit arundinis umbram.*
That he is afraid that every shadow is a Messenger : And that he shall not escape the hand of Justice. And though the Monster lurk in *Cacus cave*; yet not withstanding his preposterous steps will be discovered ; his foot shall slide in due time, the day of his destruction is at hand, and the things that shal come upon him make hast; for the Lord hath forsaken him, becaule he hath forsaken the Lord, and followed that which is evil, and not that which is good : And this also may be said of his confederates and accomplices, that, becaule they parrake of his villanies, they shall participate of his infamy.

And thus have *William Allens* parturient mountaines produced a pittifull and ridiculous Mouse ; who wish it for shame were best to conceale, and hide their heads in some obscure chincke or corner, and never appear again, either in the light or night, for fear the Dog or the Cat catch them, which night and day warch, and observe their peepings.

A word to his Post-script.

JUdicious Reader, expect two or three Sheets more of Paper, in refutation of this Impostors Jesuitical Opinion, if in the mean time he escape the Halter of the Hang-man, which he himself not without just cause doubteth ; and which I presage will be the Castrophe and conclusion of his Tragical design ; for though the fugitive Sculk in some forrein seminary ; yet the false Spirit may move him to come over into his Native Countrey, to do more mischief, and to receive Sentence according to his deserts.

Vivat P R O T E C T O R.

F I N I S.

